

The top 10 questions farmers ask about hiring farm employees

Starting off on the right foot is very important in terms of attracting and retaining employees. The first place to start is knowing your legal requirements as an employer and then ensuring you fulfill them.

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1 Do I need to provide a contract?

No, you do not need to provide a contract but you do need to have a 'terms of employment agreement'. An employer must notify each new employee, in writing, within five days of commencement of employment, of the core terms of employment;

An employer must also provide each new employee with a written statement of the terms of employment within one month of commencement of employment. Sample terms and conditions are available on www.workplacereactions.ie

2 How many hours per week can employees work?

The maximum number of hours that an employee should work in an average working week is 48 hours. This working week average can be calculated over a six-month period for agriculture. This works well with higher workloads in spring.

If an employee was happy to work an additional 10 hours per week in February and March and over the next few weeks took the 80 or so hours 'off' there is no issue. The hours would average out to 48 over a six-month period. Ideally, employees would take the additional leave that they have built up straight away.

You cannot agree with the employee to take extra leave in December, for example, as there could be an issue with averaging the hours out over any six month period. Nor can you give the employee additional pay for working over the 48hrs, it must be taken as leave.

3 What are the new regulations around payment and the minimum wage?

The National Minimum Wage applies to full-time, part-time, temporary, casual employees and seasonal employees. The table shows the pay rates as of 1st January 2025. Some farmers provide accommodation to employees and ask can this be included to make up the national minimum wage?

The answer is yes. If board and/or

lodgings, i.e. meals and/ or a place to live, is to make up part of the minimum wage then the following amounts can be included in the calculation: Meals, €1.21 per hour worked; €31.89 for 'accommodation-only' per week or €4.55 per day.

4 Do I need proof of payment?

Employers are obliged to arrange that a written statement of wages (payslip) be given to an employee with every payment of wages. If wages are paid by credit transfer, the statement of wages should be given to the employee as soon as possible after the credit transfer has taken place. In every other case, the statement of wages must accompany the wage payment.

5 How many days do I have to give for annual and bank holiday leave?

All employees, whether they are full-time, part-time, temporary or casual, earn annual leave entitlements from the time they start work. Depending on time worked, employees' holiday entitlements should be calculated by one of the following methods:

- Four working weeks in a leave year in which the employee works at least 1,365 hours (unless it is a leave year in which he or she changes employment)
- One-third of a working week per calendar month that the employee works at least 117 hours
- 8% of the hours an employee works in a leave year (but subject to a maximum of four working weeks).

Full-time employees have immediate entitlement to benefit for public holidays and part-time employees have entitlement to benefit when they have worked a total of 40 hours in the previous five weeks.

In respect of a public holiday, the employee is entitled to whichever of the following his/her employer determines:

- A paid day off on that day
- A paid day off within a month of that day
- An additional day of annual leave
- An additional day of pay



Different conditions and payment terms apply to employees depending on their age group.

6 Do I have to pay sick leave?

From 1 January 2024 the entitlement is five days paid sick leave. Employees are entitled to a rate of 70% of their usual daily earnings up to a maximum of €110 a day for certified leave only.

7 Can I hire someone who is under 16?

Yes, but there are more requirements and conditions. Children of 14 years of age cannot work during term-time. They may be permitted to work a maximum of 35 hours a week during school holidays and a maximum of 40 hours a week on work experience.

Children aged 15 years can work a maximum of eight hours a week during term-time, a maximum of 35 hours during school holidays, and up to 40 hours on work experience.

From January 1 2025, the following minimum wage rates apply

| Age | Amount | %NMW |
|-----------------------------|--------|------|
| Under 18 | €9.45 | 70% |
| 18 years old | €10.80 | 80% |
| 19 years old | €12.15 | 90% |
| National Minimum Wage (20+) | €13.50 | 100% |

When employing under 18s, which is quite common in dairy farming, you must display these conditions in your dairy.

Part-time employees fit really well for the average herd size of 90 cows where the farmer does not need full time help, but absolutely needs extra help in spring and part-time help thereafter.

8 What breaks do I have to give?

Employees are entitled to:

- A daily rest period of 11 consecutive hours per 24 hour period
- A weekly rest period of 24 consecutive hours per seven days, following a daily rest period
- A 15-minute break where more than 4½ hours have been worked
- A 30-minute break where more than six hours have been worked, which may include the first break

Payment for breaks is not a statutory entitlement.

9 Can I use a probation period?

Yes. Probation periods give you the time to see whether the person is a good fit for your business. Some employers say that they know within five minutes.

Others say it is not as simple to determine with some employees because the person may be very reliable and a good timekeeper but not good at certain tasks. Here the employer must decide whether they can work around

this or not. That can take some time.

Since 1 August 2022, where an employee is subject to a probationary period at the commencement of employment, that period shall not exceed six months, except in limited circumstances.

10 What do I do if I have problems with an employee?

Problems can arise even though you did your homework by checking references and have invested in your farm and how you work with people.

The worst thing you can do is ignore an issue. It is unfair on you to be paying someone who you are not happy with and it can create a bad atmosphere for everyone. There is a lot at stake and sometimes health and safety can be affected, which is extremely dangerous to all working on the farm.

Where the probation period is over, you should seek advice from a Human Resource (HR) company. There are procedures that you will have to follow. The Work Relations Commission (WRC) also have a meditation service which is free to employers and employees.

More information

Visit the website for [work place relations](#) to find out more about [employer obligations](#).

