



# Chai Mitzvah Business Ethics

CHAI MITZVAH BUSINESS ETHICS TOPIC 4: JANUARY

## Interpersonal Relationships



4

# 4-Interpersonal Relationships: Employee Obligations



## connection to original sourcebook

As can be seen through the examination of the sources in Sourcebook 4, interpersonal relationships are complicated and evolving. These relationships often involve competing needs and tensions. This is just as true in business relationships as in relationships between family members and friends.

- Similar to the parent/child relationship (pp. 3-6), the employee/employer relationship has at its foundation certain obligations that each has to the other.



## introduction

Often when we think of ethics and business relationships, we immediately think of protecting the rights of employees and ensuring that the employer is fulfilling his or her obligations. Jewish law also pushes us to think about our role as employees and to be mindful of our obligations as employees to our employer. The texts in this section explore that relationship and the obligations of the employee to his or her employer. While we may think that distractions to productivity such as internet surfing, texting, or personal calls on company time are new issues, it turns out that the Sages were very aware of the issue of “stealing” company time and created clear guidelines for employee behavior.



## Employee Obligations

A worker is not entitled to work [elsewhere] at night and then hire himself out in the daytime, nor may he fast or mortify his flesh, nor feed his own food to his children, as these weaken him and render him unable to do the work of the employer properly (as the Rambam wrote). In the same way as an employer is not allowed to steal the wage of his employees nor delay their payment, so too the worker is not allowed to idle away his time, a little here and a little there, until his whole day is fraudulent. Rather, he must be punctilious with himself ... Hence he is obligated to work with all his might – as Jacob our ancestor said, “I have worked for your father with all my might” (Genesis 31) – so that he is paid what he deserves in this world, as it is said, “The man (Jacob) became extremely prosperous” (Genesis 30:43).

*Tur Hoshen Mishpat 337:13 (Code of Jewish Law composed by Yaakov ben Asher of Cologne 1270 – Toledo, Spain 1340)*



## conversation

- Why do you think the *halakha* (Jewish Law) would choose Jacob, who was treated poorly by his employer (Laban repeatedly cheated Jacob out of wages and promised compensation), as the model of someone who invested all his strength and abilities in his work?
- What are the “distractions” that have the potential to disrupt a worker’s ability to fulfill his or her obligations with all of his or her “might” according to the text from the Tur?
- The first “distraction” that can lead to stealing company time deals with behavior that one engages in outside of the workday that then impacts a worker’s ability to work during the day. The Tur list includes activities such as hiring oneself out and fasting, which both impact a worker’s ability to engage in work during the workday because they deplete the energy necessary to perform with “all of your might.” List modern-day equivalents that negatively impact a worker’s ability to fully engage in work to the best of his or her ability.
- Which of the activities that you listed do you believe a company has the right to prohibit, and which do you believe fall outside acceptable limits of jurisdiction? When does a person have the right to take on a part-time job, a speaking engagement, or a side project that is completed during “off hours,” and when does this kind of work qualify as stealing company time?
- The second issue the Tur raises is the issue of “idling away his time a little here, a little there until his whole day is fraudulent.” How does this source apply to the business world today? What does it look like when a worker “idle[s] away his time, a little here and a little there” in the workplace today? Explain this line using modern-day examples of activities that people engage in today during the workday that have the potential to “idle away the day” until “the day is fraudulent.”
- What do you think it means for a worker to serve with all of his/her might? What personal and professional practices do you engage in to “work with all your might”?
- Consider the qualities you look for in an employee. What qualities and traits do you use to describe an employee who is fulfilling his/her obligations “with all their might”? In your experience, what personal and professional attributes and practices make for a great employee?

## Examples from the Talmud



The Master said: “I might think that one must honor him with money, therefore it is written, ‘thou shalt rise up and thou shalt honor’ (Lev 19:32 You shall rise up before the aged and show honor to the old; you shall fear your God: I am the LORD.): just as rising up involves no monetary loss, so does honoring also mean without monetary loss.” But is there no monetary loss involved in rising? Does it not refer [even] to him who is piercing pearls [for stringing together], and whilst he rises up before him he is disturbed from his work? [Piercing pearls being highly paid work, this involves a monetary loss.] But rising is compared to honoring: just as honoring involves no cessation of work, so rising too means such as involves no cessation of work. And honoring is compared to rising too: just as rising involves no monetary loss [since it does not involve cessation of work], so honoring means such as involves no monetary loss. Hence it was said: Artisans may not rise before scholars whilst engaged in work. (This refers to employees, in which case they may not rise up, since their time is not their own, or to men engaged on their own work...)

מפני שייבה תקום והדרת תקום והדרת פני זקן ומדלא כתב הכי ש"מ חד הוא אמר מר יכול יהדרנו בממון ת"ל תקום והדרת מה קימה שאין בה חסרון כיס אף הידור שאין בו חסרון כיס וקימה לית בה חסרון כיס מי לא עסקינן דקא נקיב מרגניתא אדהכי והכי קאים מקימה ובטיל ממלאכתו אלא אקיש קימה להידור מה הידור שאין בו ביטול אף קימה שאין בה בתול ואקיש נמי הידור לקימה מה קימה שאין בה חסרון כיס אף הידור שאין בו חסרון כיס מכאן בעלי אומניות רשאים לעמוד מפני תלמודי חכמים שעוסקין במלאכתם

*Babylonian Talmud Kiddusin 33a*



Abba Hilkiyah was a grandson of Honi the Circle Drawer, and whenever the world was in need of rain, the Rabbis sent a message to him and he prayed and rain fell. Once there was an urgent need for rain and the Rabbis sent him a couple of scholars [to ask him] to pray for rain. They came to his house but they did not find him there. They then proceeded to the fields and they found him there hoeing. They greeted him, but he took no notice of them. “...but tell us, Sir, the meaning of these mysterious acts of yours, which are bewildering to us? Why did you not take notice of us when we greeted you?” He answered, “I was a laborer hired by the day and I said I must not relax [from my work].”

אבא חלקיה בר בריה דחוני המעגל הוה וכי מצטריך עלמא למיטרא הוה משדרי רבנן לגביה ובעי רחמי ואתי מיטרא זימנא חדא אצטריך עלמא למיטרא שדור רבנן זוגא דרבנן לגביה למבעי רחמי דניתי מיטרא אזול לביתיה ולא אשכחיהו דהוה קא רפיק יהבו ליה שלמא ולא אסבר להו איפיה בפניה... אלא לימא לן מר הני מילי דתמיהא לן מאי טעמא כי יהיבנא למר שלמא לא אסבר לן מר אפיה אמר להו שכיר יום הואי ואמינא לא איפגר

*Babylonian Talmud Ta'anit 23a-b*



## conversation

- The Kiddushin quotes the ruling, “Artisans may not rise before scholars while engaged in work.” According to the passage, what might lead an artisan to rise before a scholar while they are working?
- According to this text, why are artisans not permitted to rise before scholars while they are engaged in their work? What category of employee obligations would be violated if the artisan was to stand when a scholar entered the room?
- In the Ta’anit text, Abba Hilkiyah did not stop his work to greet the delegation. What explanation did he give for his behavior?
- What modern-day scenarios might raise similar questions and rulings as those in these two texts? What disruptions threaten your focus to give your work “all your might”? What disruptions do you allow and which do you try and ignore during the workday?
- Today, internet surfing and communication via smartphones have the potential to distract workers to the point that they idle away the day on company time. How do you respond to these distractions in the workplace? What regulations do you have in place to ensure maximum productivity during the workday in the face of these disruptions?
- How could you use these texts to help orient new employees or raise a conversation about workday obligations?



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 notes



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