

Fair work....

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One would think that some areas are just off limits, but a few years ago the Sydney Morning Herald reported that a Sydney childcare operated had been found paying its employees between \$2 and \$4 per hour. Many of the workers were trainees, under the age of 21, or new immigrants; people that thought they couldn't fight back, or at least were scared to ask questions in anticipation that they would get a better position once they had some experience. How, in a society and under a government system like that in Australia, where laws protect the employee not the employer could an organization go unreported for so long? Since when did our business think that they can create Victorian style sweatshops in our country in the 21st Century?

Worker's rights are foundational to Jewish thought and practice both in terms of fair working environments¹ and fair pay².

The Talmud in tractate Bava Metzia, explains that if you have someone coming to work for you and he is slaving away in your field picking your grapes or cutting your grain, back breaking work, he is allowed to take a bite to eat without fear of being punished. Of course, he cannot over step the mark by filling a vessel and taking more than his share, but he is protected³.

So strict is the law of withholding payment that the Talmud exclaims that one has in fact broken five negative commandments and one positive commandment⁴.

It is truly an amazing thing that in the ancient period that there could be such codification of civil employment law despite other, perhaps barbaric practices that we know existed in these times. We are told very clearly, look after those that come into your service; you do not need to treat them like a charity and fill up their homes with your produce, but you do need to provide them with the necessities to complete their jobs properly.

Employment law, both biblical and civil, show the true colours of a society; how do we treat people that are providing a service, what kind of culture are we creating, what kind of families are we raising etc. We see major change occur in the Elizabethan era, based around biblical fair work principals⁵. There was, in theory, a desire to have people return home to sleep, have some semblance of family life and relaxation time.

In America, the minimum wage is extremely low and Australians are shocked to have to tip close to 20% for a meal. Maternity leave is non-existent, which would be fine if the infant was tipping after each of his or her meals, but we all know that they do not have the dexterity, even if they are as cute as Ella, to manage their father's credit cards.

Many of you would have been to Israel and been frustrated that certain services and stores close between 2pm and 4pm for siesta.

But each of these examples the evidence of governments trying to shape the style of the society that they want. In Elizabethan England it was agriculturally based, but knew the limits of the human body; the need for eating and relaxation. In America it is about the individual making it on his or her own without involvement from the government, in Israel it is to relax people and ensure that the summer sun does not drain strength.

Unfortunately many of the major worldwide scandals that we see regarding employment or business ethics have involved Jewish parties. It is hard to pinpoint why this is, without referring to the old adage of Jews and business, but it is imperative that we ensure that the image that we project is one that finds such acts as a stain on our laws and heritage.

In biblical times societies that surrounded us did not engage in moral and ethical practices of business and employment. Perhaps some of our communities did not engage in moral or ethical business practices, but at the heart of our legal system laws were in place that tried to stem the mistreatment of the disenfranchised.

It is for this reason, in my opinion, that the Parasha concludes with reminding us of the attack which Amalek laid onto the Jewish people as they were fleeing the land of Egypt⁶. Such a barbaric and immoral act, that was specifically designed to pinpoint the weak who were straggling behind, was an indicator of a society that did not care for those who were not in positions of power.

Comes our Parasha with seventy-four mitzvot that primarily deal with civil law, which are meant to be used to elevate ourselves, to create and enforce a society that deals justly with one another. The Torah tells us that it is imperative not to become like Amalek, not to discredit and destroy those who are weak, but rather lift them up and engage them, provide them with the necessary tools and skills in which to become productive members of society.

We must ensure that today we learn from these lessons, that we maintain a high ethical standard in our own businesses and careers, but also that we support businesses that have taken it upon themselves to enhance their ethical practices. We must not let the image of the stingy Jew become the norm, we must not let examples of employee mistreatment become commonplace in our media, and we should not ignore the suffering of millions of people around the world who are forced into situations because their legal codes do not offer them protection as we will read - For he is poor, and he risks his life for it, so that he should not cry out to the Lord against you, so that there should be sin upon you⁷.

All citations can be found in **A New Page of Talmud**