

## **Labor Parting**

*Excerpted and adapted from a shiur by Rav Moshe Yitzchok Weg*

August 5, 2021

[https://baishavaad.org/wp-content/uploads/2021/08/DEV81\\_004\\_Reeh\\_Tipping\\_Point-Giving\\_a\\_Worker\\_a\\_Tip.mp3](https://baishavaad.org/wp-content/uploads/2021/08/DEV81_004_Reeh_Tipping_Point-Giving_a_Worker_a_Tip.mp3)

*And when you send him free from you, you shall not send him empty-handed. You shall surely provide him from your flock, from your threshing floor, and from your vat; you shall give him from what Hashem, your G-d, has blessed you.*

Devarim 15:13-14

According to the Sefer Hachinuch (Mitzvah 482), the mitzvah of *ha'anakah* (to give gifts to a Jewish bondsman when he becomes free) also applies to employees. He explains that this is not an absolute halacha, but we derive from *ha'anakah* that it is the right thing to do.

The Minchas Chinuch suggests that the Rambam disagrees, because the Rambam limits the mitzvah of *ha'anakah* to a case of *mecharuhu* bais din (where the court sold a man into servitude because he stole and could not repay), but in a case of *mocheir atzmo* (a man who sold himself), the mitzvah does not apply. If so, it should not apply to an employee either.

The Steipler (Kehilos Yaakov, Kidushin 23) explains that according to the Rambam, *ha'anakah* is related to the mitzvah of *tzei* (verbally declaring to the *eved ivri* that he should leave), cited by the Rambam in *Hilchos Avadim* 2:12, where he writes that the mitzvah of *tzei* is incumbent upon whoever frees the *eved*. Therefore, the Steipler says that if the master dies, his heirs are subject to the mitzvos of *tzei* and *ha'anakah*. It thus seems that according to the Steipler, *ha'anakah* is about sending out an *eved ivri* in the right way. If so, it would not apply to an employee, who is neither owned by his boss nor sent away when his work is done.