

How Does an Employee Differ From Other Non-Jews Regarding Work Done on Shabbos?

Rav Yosef Kushner

Question: You said previously that an employee's status may be more stringent regarding work done on Shabbos than any other non-Jew. In what way would this apply practically?

Answer: The most basic type of employee is known as a "*sechir yom*". This term refers to a worker who is paid hourly or daily. He is paid for his time, not for a completed job.

A *sechir yom* is considered to be a *shliach* of his employer. This means that if he does the employer's work on Shabbos, he is considered to be doing it as an agent of his Jewish employer. If a non-Jew who is not employed by a Jew decides on his own to turn off a light for this Jew, one would not be obligated to tell him to stop, as he is doing the *melacha* on his own and is not a *shliach* of the Jew. If a *sechir yom*, however, starts doing any *melacha* for a Jewish employer on Shabbos, one must tell him to stop because he is considered to be doing it as a *shliach* of the Jew.

This would be true even if the employer did not ask the *sechir yom* to do the work on Shabbos. If he is hired to work during the week but decides on his own to do some of the work on Shabbos, the Jewish employer must stop him. This is relevant to many businesses. For example, if a Jewish business owner hires people overseas to do data entry for him and pays them by the hour, if he finds out that they are working on Shabbos he must stop them because they are doing it as his *shliach*.