

## Q&A from the Bais HaVaad Halacha Hotline

Posthaste

February 29, 2024

**Q** May I mail something on a Friday if I know that the Postal Service will transport it on Shabbos through a *reshus harabim*?



**A** One may not have a non-Jewish worker who is paid for his time perform *melacha* for him on Shabbos. If he is paid by the job, it is permitted, provided that the worker didn't *have* to do the work on Shabbos (Shulchan Aruch O.C. 247:1).

Accordingly, mail may be sent before Shabbos, because payment is by the item. Although it is known that the USPS picks up and delivers mail on Shabbos, they are acting on their own volition, and you didn't ask them to do that (see Mishnah Brurah 247:3).

USPS offers a service called "Priority Mail Express 1-Day Delivery," which promises to deliver by the next day. One may not send such a package on Friday, because you are effectively instructing them to work on Shabbos, as the job you asked them to do cannot be completed otherwise (ibid. 4).

"Priority Mail" (which promises "delivery in 1-3 business days") is permitted, because the job can be completed without doing *melacha* on Shabbos.

The Shvus Yaakov (2:42) suggests a possible leniency for using the mail: It is not direct *amirah lenachri*, but *amirah la'amirah*, because the people who transport the item are not instructed to do so by you as the sender, but by their bosses. But he only allows this leniency for critical matters (see also Shmiras Shabbos Kehilchasah 31:21).

In the Shvus Yaakov's time (1670-1733, Germany), letters were handed directly to a postal clerk. It is questionable whether his solution remains applicable after the advent of postage stamps. When the sender affixes a stamp to an envelope (or prints metered postage), he is communicating to the mailman and to everyone else that will be involved in the process that they should transport this item. The Shvus Yaakov's leniency should only be relied upon today when you hand a clerk unstamped mail at the post office counter, and he then processes your request.