

PAYING ON TIME PART 19

by Rabbi Yehonasan Gefen

This week we will begin discussion of different situations with regard to the obligation of paying on time (bal tolin).

- We have learned in the past that many authorities hold that rental fees for using a building are subject to bal tolin. Therefore, rental fees for use of a mikvah (ritual cleansing bath) and the fees for using a towel are, in theory, subject to bal tolin. However, this only applies if the mikva has a strict policy of ne credit. In practice many mikvas do not enforce immediate payment. Rather, the people in charge allow the user to pay a later time if necessary.
- We have seen previously that if one takes employment with the prior knowledge that the employer will not be able to pay him on time, then there is no bal tolin. An interesting application of this concept is with regard to someone who works as a waiter on Shabbos and his joy finishes during Shabbos. In such a case, the employer cannot pay him on time and the worker is aware (or should be made aware) of that fact when he accepts employment. Therefore, some authorities hold that there is no bal tolin. It is, however, Rabbinically prohibited to withhold payment when requested.

1. Much of the information for this essay is taken from "Halachos of Other People's Money" by Rabbi Yisroel Pinchos Bodner.

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