

# PAYING ON TIME PART 11

*by Rabbi Yehonasan Gefen*

In the previous articles we discussed situations in which the prohibitions with regard to not paying a worker (known collectively as 'bal tolin') did not apply.

Another example where the employer is exempt from bal tolin is when the worker was hired by an intermediary[2]. For example, if the employer's friends or children[3] hired the worker, then there is no bal tolin. Similarly, if an employment agency made the offer of work on behalf of the employer, there is no bal tolin on the first payday. However, some authorities hold that there is bal tolin on subsequent paydays.

It is important to note that whilst using an intermediary to hire the worker exempts the employer from the negative prohibitions of bal tolin, it also takes away the opportunity to fulfill the positive Mitzvo of paying on time. Therefore, even if the employer does pay the worker on time, he does not fulfill the Mitzvo.

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1. Much of the information for this essay is taken from "Halachos of Other People's Money" by Rabbi Yisroel Pinchos Bodner.
  2. See, "Halachos of Other People's Money", p.116-118 for more details of the laws in this case.
  3. But not his wife - she is legally considered to be the same person as her husband, therefore it is as if he hired the worker himself.
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