

A new curriculum for teaching the laws of bein adam l'chaveiro, the commandments governing interpersonal relationships, is to

be introduced by Linas HaTzedek, the Center for Jewish Values, at the upcoming Association for Jewish Outreach Professionals convention in Baltimore on January 20th. Through the unique Linas HaTzedek Kollel Network and innovative methods, Rabbi Paysach Freedman is trying to educate the public

by Avraham Zuroff

What does Jewish law say about providing false information about a product, as allegedly occurred in the recent Enron stock scandal? Rabbi Paysach Freedman, director of the Center for Jewish Values says that this would raise several halachic problems. "First, if there's outright lying, there's the prohibition against falsehood. Probably, there's the prohibition of *onaas dvarim*, harmfully deceptive speech. Surely, there's a transgression of the prohibition *gneivas daas*, deceiving people. If there were cash transactions, we're very possibly talking about a form of *gezel*, theft," Rabbi Freedman said.

White Collars Stain Easily Benjamin Brafman is a criminal lawyer and supporter of one of Rabbi Freedman's kollels. "The overwhelming majority of people who are *shomer Torah u'mitzvos* are honest people," he said in a talk to kollel members last year. "But in this age of instant world communications, if you're a *frum* person and 'mess up,' the entire world knows about it, laughs about

it, and talks about it. Because the world is fundamentally anti-Semitic. A person who looks *frum* must really *be frum*. Not just knowing how to learn, but knowing how to behave in the public sector."

"A Jew who steals is not an observant Jew, any more than a Jew who deliberately eats on Yom Kippur is an observant Jew," says Rabbi Freedman. But without proper knowledge of the laws of *bein adam l'chaveiro*, a Jew might unwittingly violate them. "Violations of these commandments often don't stem from malice, but rather, from ignorance of the law," he points out. "Just like *chasanim* before their marriage learn the relevant halachos, perhaps *avreichim* before going into the business world should learn the relevant halachos."

"But in that case, aren't you teaching the wrong crowd?" I asked. "After all, the *avreichim* that you're teaching aren't in the workforce," I added.

"In some of the kollels, we do have businessmen. And I would presume that in five to ten years, these *avreichim* will also be in the workforce. Even as a teacher in school, he will have questions about halachah. Even if they stay in kol-

lel the rest of their lives, and never touch a nickel, halachic questions will still come up."

Rabbi Paysach Freedman runs the Linas Hatzedek Kollel Network, with branches throughout Eretz Yisrael and America. These kollels emphasize the in-depth study of the mitzvos of *bein adam l'chaveiro*. "The name Linas haTzedek denotes learning Torah in *tzedeck*, with meticulous attention to the laws of being upright.

I asked Rabbi Freedman what motivated him to set up his first *bein adam l'chaveiro* kollel in Jerusalem, almost five years ago.

"More than half the mitzvos that are applicable today are *bein adam l'chaveiro*. Often, even if people know the general principles, they don't know the halachos. Sometimes they honestly think that something is permissible, when it's really forbidden. Conversely, there are times when a person might think that the action isn't honest, when it's really allowed," said Rabbi Freedman. An example of a legal loophole is the taking advantage of tax shelters.

Chesed and Its Limits Rabbi Freedman feels that by learning these halachos, awareness will be raised. People will know when to apply this knowledge to a contemporary issue, and when in doubt about the halachah, they'll ask a *rav*. A few examples of laws that call for practical application in our times are the laws of *lashon hara* against gossip and libel, the prohibition against *nekamah*, taking revenge, and all the laws relating to business ethics. Even hiring a babysitter will involve many of these laws.

In the Linas HaTzedek kollels, these laws and the issues surrounding them are thoroughly studied and discussed. It's necessary to know the parameters of the mitzvah in order to know when one is ob-

ligated and when one is exempt. "For example, the mitzvah of *bikur cholim*, visiting the sick," Rabbi Freedman says. "There are halachos of *chesed*, like *bikur cholim*. Unfortunately, there are enough sick people in hospitals that one could spend all day doing the mitzvah of *bikur cholim*. Going to weddings is another example. How does one know when to draw the limits?" Without thorough study of the applicable halachos, one is left in the dark.

Most of the Linas HaTzedek kollels are night kollels in which the members spend two hours each evening learning the relevant halachos. The *rosh kollel*, Rav Yitzchak Berkowitz, *shlita*, is a *posek* and expert on the topic of *mitzvos*

bein adam l'chaveiro. He began by giving classes in the kollel's first, pioneering branch, and now lectures in a whole network of these kollels in the greater Jerusalem area. Since the Linas HaTzedek kollels have ventured into a new field of learning, Rav Berkowitz created a special curriculum, which took two years to develop. Some of the original kollel members are now *roshei kollel*, using this curriculum in fourteen additional branches. Rabbi Freedman envisions eventually expanding the network to 150!

"What are examples of ethical dilemmas that come up during the kollel's learning?"

"Giving up a seat to an older person on a bus is sometimes very hard for a five-year-old to do, for example. His tiny body might fly through the bus. Is it permissible for an elderly man to fix a stern glance on such a child, to influence him to give up his seat? One could write a sefer just on the topic of giving up a seat on busses."

Relevant for Our Times Rabbi Freedman distinguishes between *chukim*, Torah laws whose reasons are hidden, and *mishpatim*, Torah laws which can be logically understood. "The laws of *bein adam l'chaveiro* are *mishpatim*, they have readily understandable principles behind them. For example, the Torah doesn't say, 'Give money to a poor man.' Rather, the Torah commands us to give *tzedakah*, righteous giving. If a drug addict asks for *tzedakah*, we should be careful not to give him cash, but help him go for drug rehabilitation, instead."

"The Center for Jewish Values isn't just for yeshiva people and *balabatim*; it's also intended to be used for kiruv. Educators can teach these topic to totally unaffiliated Jews. They'll see that there is social interaction in Judaism, that the Torah gives solutions for a dilemma. An unaffiliated Jew, when hearing what the Torah says about copying CDs, can't help seeing that the Torah, 'this ancient book,' is relevant for a modern set of circumstances."

The Center for Jewish Values will be introducing the first volume of a teacher's guide booklet, *When the Judge is You*, at the upcoming AJOP convention. The book discusses the mitzvah of judging people favorably, and is accompanied by an interactive educational CD. AJOP is an organization of kiruv educators and activists, always eager to improve their methods of outreach. "Learning Gemara *Yevamos* feels less relevant to an unaffiliated Jew than learning the halachos of interpersonal relationships."

CHOL HAMOED QUANDARY

In general, it is prohibited to work on Chol HaMoed; however, the Shulchan Aruch states that if there is a loss, a *davar ha'aveid*, it would be permissible to work on Chol HaMoed (cf. Shulchan Aruch, Orach Chaim 537:1-16, 539:1). Any activity which wouldn't be done on Chol HaMoed would cause a monetary loss is considered a *davar ha'aveid*. The Sages permitted one to perform a *melachah*, a work activity on Chol HaMoed even if the loss isn't definite, but there is a reasonable doubt that one will lose revenue. The activity can be done just like the manner that one ordinarily carries out his task. It is permissible to perform the *davar ha'aveid*, even if the activity isn't required for Chol HaMoed. One can apply the concept of *davar ha'aveid* even if the employee doesn't incur a loss, but the employer feels that he will incur a loss if his business will close for Chol HaMoed. The particulars of each case of *davar ha'aveid* are complex; therefore, one should ask a *rav* if *davar ha'aveid* applies in his particular situation; nonetheless, many Jews in the workforce are granted permission to keep their operations running due to the incurred loss of completely closing shop.

Most frum firms in the US, like Frum Financial, receive rabbinic permission to work on Chol HaMoed; nonetheless, Frum Financial's policy is not to accept new assignments during Chol HaMoed. When the annual conference of all of Frum Financial's branches was planned for a week after Pesach, a nonobservant employee from Frum Financial's West Coast branch was responsible for the logistics. Realizing that the workload would involve having to work on Chol HaMoed, he asked Mr. Silver if it was a problem of working on Chol HaMoed. Mr. Silver replied that the employee shouldn't work on Chol HaMoed, and the convention was postponed to a more halachically suitable date.

In Eretz Yisrael, all government offices and many businesses are closed during Chol HaMoed; thus, one would expect that working for a frum-friendly firm would have the added perk of vacation during Chol HaMoed. Unfortunately, the reality is different—especially if the Israeli business is outsourcing for clients outside of Israel.

Rav Kessler, *shlita*, the *rav* of Modiin Ilite, was asked by local firms about commerce on Chol HaMoed. The *rav* ruled that it would be permissible for certain businesses to remain open on Chol HaMoed, applying the halachic concept of *davar ha'aveid*, since there would be a financial loss to the parent company. Since all of the Israeli employees are observant, no one wishes to work on Chol HaMoed. The management requires its workers to come to the office on Chol HaMoed, at least on a rotational basis. Perhaps another outcome of *davar ha'aveid* is the situation where family members gather around the table on Chol HaMoed, eager for *lma* to return from work.

When *Mishpacha* spoke with Rav Kessler, the *rav* clarified that it is certainly preferable for the business not to operate; the *rav* explained to the business in question that he expects them to reduce the workload to a minimum. He hopes that the company will find an alternative solution and eventually be completely closed for Chol HaMoed.

says Rabbi Freedman, who believes that this material will be widely received by Jews beyond the four walls of the *beis medrash*. He plans to create business ethics seminars, and is exploring the possibility of professional accreditation for attorneys who attend his seminars.

"The Linas HaTzedek Kollel Network is the think tank," Rabbi Freedman says. "From their learning and research, innovative material was designed, which is now being taught in Winnipeg and Cincinnati. Even if an *avreich* never joins the workforce, he still has to pay babysitters and taxes. This concept links populations together."

Rav Yitzchak Berkowitz explains why he feels that teaching the laws of *bein adam l'chaveiro* is a significant kiruv technique: "There's no question that the best way to get people really involved in Yiddishkeit is to get them to learn. We already know what learning does for us, ourselves — you connect to your own *neshamah*; we all know what it feels like."

"The problem is that if you sit down and learn with somebody who doesn't have experience, there are so many things that he's missing — before he could really appreciate what he's doing, before he could connect to it — that what happens is that you lose him before he could really get 'on fire.'

"The idea of using the laws of *bein adam l'chaveiro* in teaching is that you're dealing with issues that people have already thought about, though perhaps not with the same sophistication, depending of course with whom you're dealing. But certainly they do live within society, they do have the same kinds of issues of people who have learned *bein adam l'chaveiro*."

Striking a Bell and Stepping on Toes Rabbi Berkowitz relates an anecdote

that happened to Rav Moshe Carlebach, a former *maggid shiur* at Yeshivas Ohr Somayach, who once met an Amish adherent, and decided to have a theological discussion with him. Rav Carlebach asked the man, "What do you people believe about

giving a gift on the condition of receiving it back?" This is the Talmudic concept of *matanah al m'nas l'hachazeir*, but the Amish devotee couldn't fathom what Rav Moshe was talking about or what was the connection between torts and theology. "To us, this is theology," Rabbi Berkowitz explains. "It's religion, it's *ruchniyus*, spirituality. Do people out there, other religions, think about a *matanah al m'nas l'hachazeir*? Does it strike a bell?"

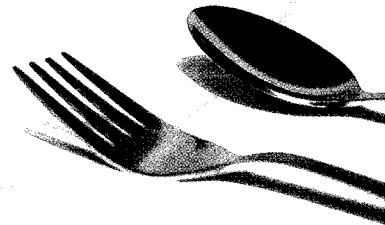
"If you start dealing with questions such as: What happens when someone steps on your toe? How do you deal with that? What do you tell the guy? What do you expect him to tell you, and so on? What do you do when your friend makes

some kind of offhand comment towards you? That's something that people relate to; they understand what the different approaches could possibly be. When they're going to express their opinion, they feel that they know what they're talking about."

Challenges in the Workplace Rav Chaim Dovid Zweibel, once a corporate lawyer, is today legal advisor for Agudath Israel of America:

What is the most pertinent issue of a Jew in the workplace today?

"The greatest challenge in the workforce is to retain, both internally and externally, Jewish qualities, values, and characteristics, in an environment which



is antithetical to this, and not to get lost in the business world."

Could you please clarify?

"The business world can be consuming, both by its time demands and cultural demands. There is a certain culture in society to fit in, that is sometimes inconsistent with Torah values. Other issues are dealing with members of a mixed environment, and the rat-race mentality to stay ahead. The pressures to fit in are enormous, sometimes resulting in sacrificing Jewish values.

"And among the broader society, there's an obligation to create an image that Torah Jewry and Torah Judaism is worthy of admiration and respect. There's an internal and external aspect to this."

Working in a Kosher Environment
Wouldn't it be wonderful to work in an environment that's conducive to Torah

values? Work environments in the fields of hi-tech, finance, and legal work are being created in both Israel and the United States. The good news is that they are uncompromising when it comes to Torah values.

Outsourcing in Israel has become the catchword in creating new job opportunities, especially in cities with large chareidi populations, such as Jerusalem, Modiin Illit and Beitar Illit. Mrs. Libby Affen and Mrs. Rivka Hercenberg are director and associate director of Temech, the American-Israeli Center for the Advancement of the Economy and Employment in Israel. As a non-profit venture of Agudath Israel of America, Temech helps American businesses establish themselves in Israel. Perhaps the most unique of Temech's requirements is that any workplace that Temech is involved in setting it up is run according to strict halachic requirements.

Talpiot, a division of Matrix, and

CityBook Services, which does BPO, business process outsourcing, are both located in Modiin Illit. CityBook also has a branch in Beitar. Both Talpiot and CityBook are *frum*-friendly places to work. For example, male and female employees work in separate rooms, with minimal communication of a business and technical nature only; they're not addressed or referred to by their first names, in order to keep a professional distance. When a halachic issue is raised, these companies consult *rabbanim* to ensure that all aspects of the workplace fully comply with halachah. Their managements are in constant contact with Rav Meir Kessler, *rav* of Modiin Illit, about halachic issues in the workplace.

When Rav Elyashiv, *shlita*, was ill in Elul 5763, a pop-up screen appeared on the workers' computer terminals, asking that they say Tehillim on his behalf — but only during the break, so as not to steal company time. When computers are down, many workers say Tehillim.

Two CityBook workers thought that downtime and lunch break would be a good time to study the halachos of *shmiras halashon* from the sefer *Guard Your Tongue*. As the company rapidly grew and downtime became significantly reduced, this became a home-study program. From the program's onset, the company's owner felt so strongly that this program was a great asset to the company that he donates prizes for the monthly raffle; employees who receive a perfect score on a bimonthly exam in *shmiras halashon* are eligible to participate. CityBook sponsored the first *siyum* on *Guard Your Tongue* and has begun a second phase: one program for those who have already completed the sefer, and another for those just starting.

An Enormous Impact An observant Jew in the corporate world can have enormous impact on the lives of nonobservant coworkers, just by being who he is. How do secular workers view their religious colleagues? Let's ask two:

Ronen Engler, Matrix's vice president of marketing, was raised in a secular home in Petach Tikvah, and wasn't used to working with chareidim. "When I worked in a Tel Aviv hi-tech firm, mingling and e-mailing jokes between colleagues was commonplace. Here, everything is serious and professional, all in accordance with halachah. The men work apart from the women, and eat in separate kitchens. When the ladies have a problem, they feel more comfortable because they go to another woman or to Mrs. Affen. These are things that I never encountered in Tel Aviv."

66 "The pressures to fit in are enormous, sometimes resulting in sacrificing Jewish values" — *Rav Chaim David Twerski*

Rav Yonoson Weiner, *shlita*, originally from Australia, is a *rosh kollel* and *posek* on Shearis Yisroel's Jerusalem *beis din*:

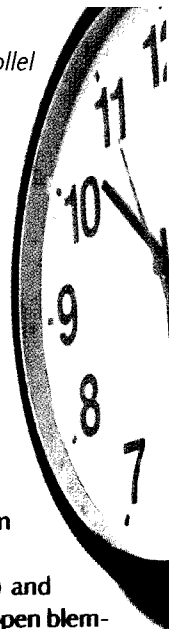
In most workplaces, coffee breaks and socializing with colleagues during work hours are commonplace. What is halachically accepted today?

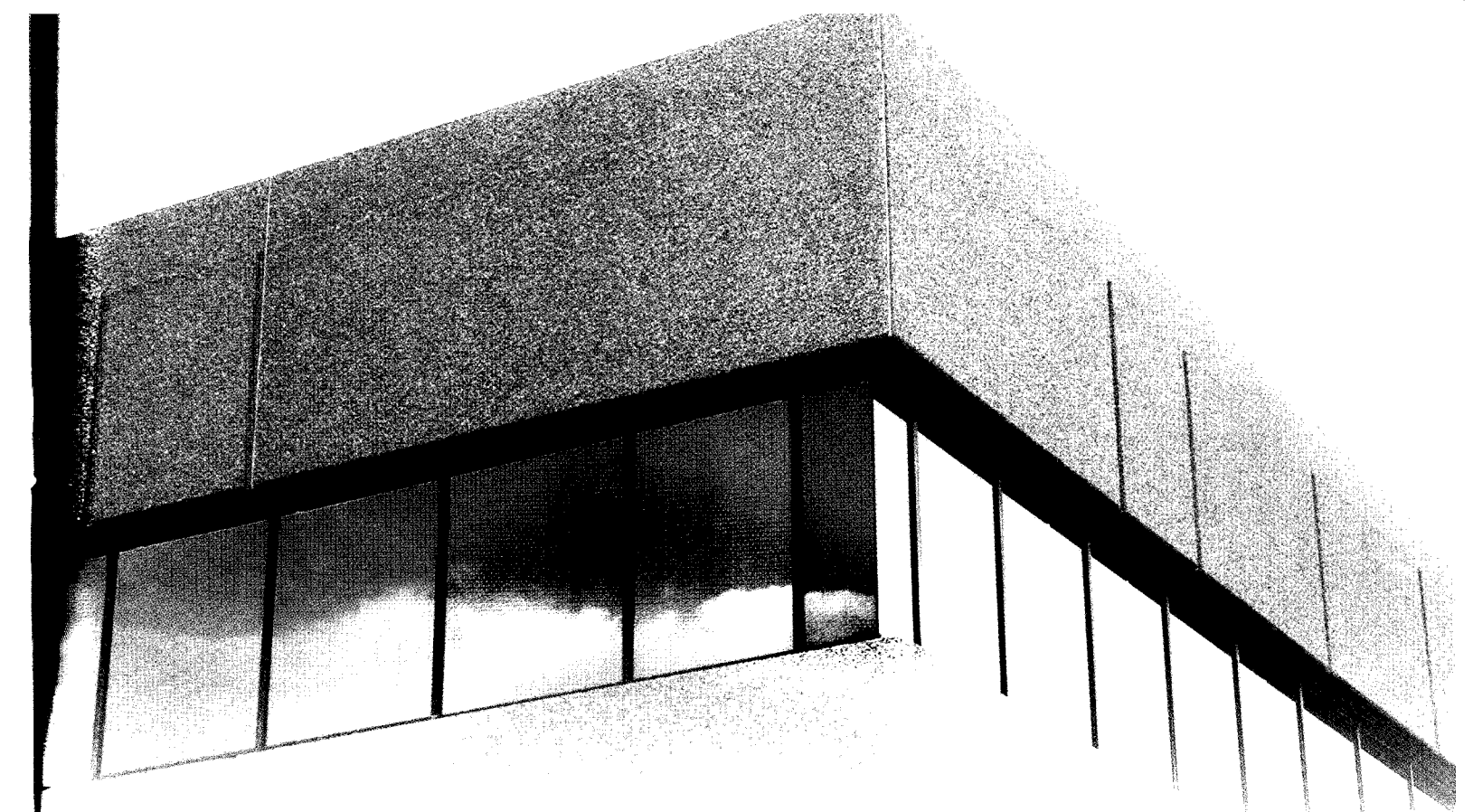
"The Mishnah discusses a worker who is exempt from reciting Krias Shema, because he is taking time away from his employer for personal needs. In the Gemara *Taanis*, Rabbi Shimon ben Chalafta didn't say 'Shalom' because he'd be interrupting his work. What is considered normal behavior in our day and age? Certainly, shmoozing should not go beyond fifteen minutes."

What if a worker sees a colleague neglecting to do his work, or doing something else wrong? When is he obligated to inform the supervisor?

"One has to differentiate between what is *galuyi* (noticeable) and what isn't obvious. The concept is similar to what is considered an open blemish in *shidduchim*, where one doesn't have to reveal the obvious. If the offender is doing something that the boss could see, then that is *galuyi*, then one isn't obligated to report it. If it isn't *galuyi*, then one should first confront the person. Often, the person isn't even aware that he's doing something wrong.

"If the person continues to do something wrong, then one could tell the boss, provided that it won't cause problems for the informer. If it would cause problems, where the other party would hate the informer, then this would require further investigation about what to do."





Before female employees are sent to customers, on site, Talpiot's management briefs the customer what to expect: no handshaking between men and women, and no *yichud*, seclusion. "The first question that I ask a new client is if the client's team leader is male or female. They're not used to this question, so I explain to them the issues of *yichud*."

"If a client says that our workers must be trained at their site for, say, two months, I first ask Mrs. Af-fen before accepting. I'm wary of our workers being overexposed to the outside world. I put even the remotest possibility of a problem under a magnifying glass. I'd rather be overly extreme. When it comes to managing the company, I'm a chareidi - or at least, I have to view things from a chareidi perspective, with chareidi considerations."

Growing up in Rishon LeZion, Matrix project leader and trainer Lilach Gozali-Caspi had no contact at all with chareidim. She had thought that she would have to train the chareidi women from scratch, and was surprised that most of them had studied software engineering in Bais Yaakov seminaries. "They're very well-trained and very bright, their capabilities are very high, and they have proven themselves. It has also been gratifying to learn about the chareidi sector as it actually is, and about laws and customs. During Chanukah, I asked, 'Why does one light before sunset?' Even though I grew up in a home that did have some traditions, all of this is new to me."

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What happens when someone says "on your
face" How do you deal with it?
— Rav Yitzchok Berkowitz

Corporate Kiddush Hashem What happens when the religious owners of a corporation include nonobservant Jews and non-Jews among their employees? Can they still run a corporation according to Torah values, without compromise?

According to "Nechemia Silver," CEO of "Frum Financial," the answer is a resounding *yes!* Frum Financial is a large national corporation that runs according to halachah. Absolutely no compromises to Torah values are made, even if a loss of revenue will occur. All halachic questions are addressed to "Rav Shea Gold," *shlita*, who also is a pulpit rabbi. Although Frum Financial always consulted with *rabbanim* over the years, the company recently appointed Rav Gold as their in-house *rav*, who is on hand to answer any halachic questions that arise.

"Corporate Rav" "Running a company

according to halachah creates an awareness of *b'chol d'rachecha dei'ayhu* [Proverbs 3:6], 'Know Him in all of your ways,' " says Rav Gold. He explains that there are many challenges for Jewish businesses. Questions of Shabbos and Yom Tov and *ribis*, interest, are frequently raised. "They were considering buying a financial institution which had lent out \$21 million. One could assume that some of the loans were to Jews. According to the Taz, the old interest accrued is called principal; however, the new interest is still called interest. Therefore the company completely dropped the acquisition and went on to consider other ideas.

"Questions from *Choshen Mishpat*, the laws of business ethics, occur all the time. We have to ask ourselves if it is halachically permissible. Is it ethical? What requires a *beis din*, a rabbinical court? What happens if a Jew refuses to go to a rabbinical court?"

Rav Yisrael Salanter was once approached by the town *shochet*, who complained, "Rebbe, I feel that the responsibility of performing a proper *shechitah* is overwhelming! I wish to become a businessman." Rav Salanter replied, "You have studied the laws of *shechitah* and

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WORKPLACES

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have expertise in them. Have you ever studied business laws in *Choshen Mishpat*? How could you be a businessman without studying the relevant halachos?"

Rav Gold adds that the laws of *shechitah* contain only twenty-eight chapters, but the laws of business are far more lengthy and complex. He stressed the importance of at least knowing when to ask a halachic question.

"There was an incident where Mr. Silver hadn't fixed a commission payment in advance with a broker on a particular real estate deal. Mr. Silver asked what percentage he wanted on this sale. The broker mentioned a lower amount than what Mr. Silver had in mind to pay. Mr. Silver felt that he should pay the higher commission payment, because of the concept of *dover emes bilvavo*, one should speak truthfully with what is in his heart (cf. case of Rav Safra, *Baba Basra* 88a). Although not halachically required, Mr. Silver insisted on paying the higher sales commission while the broker insisted on receiving the lower commission, stating that he forgives the difference. Mr. Silver came to me, asking if forgiving the difference is sufficient for an obligation that is based on *dover emes bilvavo*. These are the types of questions that make a *rav's*

day!" said Rav Gold.

"One of the challenges of a corporation that is run according to halachah is the prevention of questions of *yichud*. Setting up an office should be planned in a way that enhances modesty." To this end, employees of Frum Financial's corporate headquarters sit in cubicles within a large hall. Only some of the executives sit in actual offices.

Frum Financial's New York headquarters is run both professionally and halachically. The voicemail system includes the option to listen to *shiuirim* at an employee's convenience. Before Minchah, there's an optional ten-minute *shiuir* on interpersonal halachos. In the main area, men and women sit in cubicles, on opposite sides of the room. To maintain the highest level of professionalism and *tzniyus*, modesty, staff are encouraged to use formal appellations only, Mr. or Mrs., not first names. The company's dress code is in accordance with halachah, although not contractually binding.

A religious corporation has Shabbos and Yom Tov in mind. What happens if a Jewish client sends a fax or e-mail on Shabbos? Even Frum Financial's non-Jewish and nonobservant Jewish staff members know exactly what to do. "A non-Jewish employee was telling a non-*frum* attorney not to do *melachah* on

Shabbos!" Mr. Silver recalls.

In one of Frum Financial's affiliate branches, located in the Midwestern U.S., the entire staff is non-Jewish. They look on the company's religious practices with awe. The *rav* was surprised to receive a phone call from the non-Jewish manager, asking whether he should put up the *mezuzah* on the left or the right side of the company's front door. Rabbi Gold told him politely to wait until the (Jewish) vice president would come to inaugurate the new branch.

All Frum Financial offices are closed on Shabbos and Yom Tov. When Yom Tov falls in the middle of the week, even the non-Jewish workers receive a paid vacation. The manager of the Chicago, Illinois branch phoned to ask: "None of us are complaining about the mid-week vacation, but we'd like to know a little bit about Rosh HaShanah."

"Our goal is to make a *kiddush Hashem* every day, and it doesn't hinder us a bit!" Mr. Silver proclaims, adding, "Business ethics are stronger than the dollar. We're not here to look for halachic leniencies. People respect us, *baruch Hashem*. It makes a difference."

Frum Financial's executive vice president adds, "Our motto is **that there's** only one way to do business — **and that's** the right way!" ■