The Chicago Center
Digest
Mishna Berura
THE DAILY RESOURCE FOR MISHNA BERURA YOMI
Shabbos, Nov 11 2023 ■ כ"ז חשון תשפ"ד
סימן ש"ו סעיף ה'-ו'

Overview

Siman 306 Seif 5:

It is prohibited to hire a chazzan to daven on Shabbos but there is an authority that permits it. If he was hired for the year or month it is permitted.

- The lenient opinion maintains that for the sake of a mitzvah the injunction against payment for work done on Shabbos does not apply, however, one will not see blessing from that money. The same is true concerning someone who will blow the shofar. It is prohibited to hire a chazzan or someone to blow the shofar on Shabbos. (M.B. 23)
- Meaning that he should lead the davening during the week as well. Authorities write that the custom is to be lenient to hire people just for Shabbos. One who wishes to accommodate the stringent opinion should not set a fixed fee and then whatever he receives will constitute a present rather than wages. (M.B. 24)

Siman 306 Seif 6:

It is permitted to discuss Heavenly related matters, for example, monetary calculations related to a mitzvah, to pledge tzedaka, to inquire about communal matters, to make a shidduch for a boy to become engaged, to teach a sefer or a trade. It is only permitted to agree to be hired but it is not permitted to hire him and discuss how much he will be paid. Some maintain that in places where the custom is to be lenient to give a מי שברך to someone who received an Aliyah who then pledges money for tzedaka or for the chazzan, it is prohibited to mention how much one intends to give but the custom is to be lenient since it is permitted to pledge to give to tzedaka.

- It is permitted to calculate what is needed for a seudas mitzvah. (M.B. 26)
- One may pledge to the poor or the bais haknesses. The custom is also to pledge objects to the bais haknesses, however, it is preferable when pledging a definitive object to a bais haknesses to sanctify it before Shabbos and then on Shabbos one is merely publicizing that he sanctified it to the bais haknesses. It is also permitted to pledge that one will give an object without designating the particular one that one will give to them. (M.B. 27)
- Poskim write that one may not ask a gentile to perform a melacha for public needs and all that is permitted is to discuss communal matters. (M.B. 28)
- It should say "girls" rather than "boys." (M.B. 29)
- One should ask for them to recite a מי שברך on his behalf. (M.B. 32)
- There is a disagreement concerning the auctioning off of mitzvos and in places where the custom is to be lenient one should not protest. Any business is prohibited out of concern that one will record the transaction. It is also prohibited to give a gift to a friend since it is similar to business in that the object changes ownership. However, it is permitted to give a gift if it is for Shabbos or Yom Tov or serves some other mitzvah purpose. (M.B. 33)

Halacha Highlight

Hiring a babysitter for Shabbos

Shulchan Aruch Siman 306 Seif 5

אסור להשכיר חזנים להתפלל בשבת

It is prohibited to hire a chazzan to daven on Shabbos

Shulchan Aruch (סעי' ה') presents two opinions concerning the question of hiring a chazzan to daven on Shabbos. He first rules that it is prohibited to hire a chazzan who will daven only on Shabbos since this violates the injunction against accepting payment for work that is done on Shabbos (מ"ב כ"ב). He then mentions that there is an opinion that permits this. Mishnah Berurah (ס"ק כ"ג) explains that this position maintains that when one is hired to perform a mitzvah the injunction against accepting payment for working on Shabbos does not apply even though one will not see blessing from that payment. Rema adds that if the chazzan is hired for the year or the month it is permitted and Mishnah Berurah (ס"ק כ"ד) explains that Rema means that the chazzan was also hired to daven during the week and it is permitted since one is paid for the month or week in one lump sum payment. He then adds in the name of later authorities that the custom is to be lenient and hire a chazzan just for Shabbos but one who wishes to satisfy even the stringent opinion should not set a price when he is hired and accept whatever he is given as a gift.

A related issue is hiring a babysitter for Shabbos. Seemingly, it should be prohibited since the babysitter is accepting payment for work that is done on Shabbos. One leniency that could be employed is for the babysitter to accept the position without stipulating how much he/she expects to be paid and then accept whatever is given as a gift. Another option is to agree upon a rate and then if the family adds a little more as a gift so that the total payment is not limited to work that was done on Shabbos.