

## **“What does Islam say about the obligations of the person hiring to and/or for the person being hired?”**

The employer-employee relationship is considered a hiring relationship. Islam has many texts that clarify the principles and regulations of this relationship.

**Introduction:** Islamic teachings require all wrong doers to repent to Allah, the Most Merciful, The Oft-Forgiving, in order to be forgiving. The acceptable repentance must have three conditions;

- 1- To regret doing the wrong.
- 2- To have a solid intention not to go back to the same sin
- 3- And then to ask Allah's forgiveness.

These three conditions are sufficient to erase the sin, unless the unjust doing involves other human's right. In this case a fourth condition must be met which is; to restore justice and to render what belongs to others to them.

Islam granted other human's right more priority than Allah's right. Sincere repentance will erase any sin committed against the will of Allah, regardless how big that sin is, but no repentance will erase other human's right, regardless how small it is, unless the victim him/herself forgives the wrong doer, or justice to be served. Amazingly, even the myrtle is promised to be forgiven everything, except the wrong that was committed against others.

The “day of Judgment” in Islam is viewed as a “day of recompense”, i.e. restoring justice where every s/he will be paid, or, compensated for whatever was earned of good or evil during life on this earth. Wrong doers might be able to escape justice in this life, but not in the life after, for God is the All-Knowing, All-Hearing. Islam teaches that Allah will ordain on that day that the wronged person will be taking from the good deeds of the wrong doer. In the event where the

wrong doer has no good deeds, some of the bad deeds of the wronged person will be added to the wrong doer account.

Prophet Muhammad said: "Surely! Everyone of you is a guardian and is responsible for his charges: The ruler of the people is a guardian and is responsible for his subjects; a man is the guardian of his family (household) and is responsible for his subjects; a woman is the guardian of her husband's home and of his children and is responsible for them; and the servant of a man is a guardian of his master's property and is responsible for it. Surely, everyone of you is a guardian and responsible for his charges."

Prophet Muhammad further more quoted a story of ancient believers before Islam where "Three men of a people before you, were on a journey when they were overtaken by a storm and therefore they took shelter in a cave. A rock slipped down from the mountain and blocked the exit from cave. One of them said: "The only way for deliverance left is to beseech Allah in the name of some virtuous deed." ..., Then the third supplicated: "O Lord, I hired some laborers and paid them their dues, but one of them left leaving behind what was due to him. I invested it in business and the business prospered greatly. After a while, the laborer came back and said: 'Hand over to me my wages.' I said to him: 'All that you see is yours; camels, cattle, goats and slaves.' He said: 'Don't play joke with me.' I assured him: 'I am not joking.' So he took all of it sparing nothing. O Lord, if I did this seeking only for your pleasure, do relieve us of our distress." Prophet Muhammad said: The rock then moved away, and all the three came out of the cave safe and sound".

One can summarize the employer-employee rights and obligations in the following points:

- Employee-Employer agreement should be documented in a contract. All contracts must be honored as Allah says in the Quran (5:1) "O you who have believed, fulfill all contracts".

- It is the right of the employee to have his/her wages specified in advance by the employer and to get it completely. Prophet Muhammad said: "Whoever employs someone to work for him, he must specify for him his wage in advance."
- Employer must pay the employee the agreed upon wage in full. Prophet Muhammad said: "Allaah will be the opponent of three on the Day of Judgment:...and one who hires a workman and having taken full work from him, does not pay him his wages."
- And to be paid on a timely manner. Prophet Muhammad said: "Pay the laborer his wages before his sweat dries."
- The worker has no right to use his/her job for personal interest. Any gift or interest generated by the job must go to the employer. Prophet Muhammad once said to a man he hired to collect Zakah (tax); " What is the matter with a man whom we appoint to collect Zakah, when he returns he says, "This is for you and this has been given to me as a gift." Why did he not stay in his father's or mother's house to see whether he would be given presents or not?".
- The worker must also perform the work that is assigned to him perfectly. The Prophet said: "Verily, Allaah loves that when anyone of you does something he does it perfectly."
- Finally, all employee-employer affairs must be conducted in a good faith and manner, as Prophet Muhammad set the great rule: "There should be neither harm nor reciprocal harm."

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- حق العبد أعظم من حق الله في الشريعة ، الله يغفر حقه ولا يغفر حق  
العباد حتى للشهيد

- من شروط التوبة: رد المظالم لأهلها
- من مات عليه حق لأحد أخذ ذاك من حسناته أو هذا من سيئات ذاك
- أولاً: إذا استأجرت أجيراً واستقدمت موظفاً فلا بد أن تعطيه أجره كاملاً دون بخس ولا نقص ولا مماطلة: أعط الأجير حقه قبل أن يجف عرقه"
- مج حسن
- قصة صحاب الغار الثالث الذي استأثر مال عامله...
  
- والعامل راع في مال سيده ومسؤول عن رعيته: فالله العالم الخبير: فلا يجوز التحاييل / السرقة / التمارض / الرشوة / الإهمال / الإستغلال / لأهداف شخصية /
- ح الهدية لعامل الزكاة
- بل إن الله يحب إذا عمل أحدكم عملاً أن يتلقنه
- قصة عند خ / عن عروة البارقي أن النبي صلى الله عليه وسلم أعطاه ديناراً ليشتري بها شاة أو أضحية فاشترى له شاتين بالدينار، فباع إداحهما بدينار، العامل المستأجر الوكيل اشتري بالدينار شاتين، ثم باع إداحهما بدينار، وأتى النبي صلى الله عليه وسلم بشاة ودينار، فدعاه رسول الله صلى الله عليه وسلم في بيته بالبركة، فكان لو اشتري تراباً لربح فيه. وفي رواية مطولة بإسناد حسن: عرض للنبي صلى الله عليه وسلم جلب، يقول هذا الصحابي عروة البارقي رضي الله عنه: فأعطاني دينار وقال: أي عروة أئت الجلب فاشتر لنا شاة (فأتيت الجلب فساومت صاحبه فاشترت منه شاتين بدينار، فجئت أسوقهما أو قال أقودهما فلقيني رجل في الطريق فساومني فأبيعه شاة بدينار، فجئت بالدينار وجئت بالشاة، إلى صاحب المال الأصلي، فقلت: يا رسول الله هذا ديناركم وهذه شاتكم، قال) : وصنت كيف؟ (قلت: فحدثته الحديث، قال: فحدثته الحديث فقال رسول الله صلى الله عليه وسلم: اللهم بارك في صفة يمينه)، فقد رأيتني أقف بكناسة الكوفة فأربح أربعين ألفاً قبل أن أصل إلى أهلي، وكان يشتري الجواري ويبيع. قال المنذري والنwoyi: إنه إسناده حسن.

