

# In Hilchos Shabbos

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# Cleaning Help

A summary of the weekly Wednesday night shiur by **Rabbi Shmuel Stein** at the Miami Beach Community Kollel / To receive a copy send an email to [InHilchosShabbos@gmail.com](mailto:InHilchosShabbos@gmail.com)

Some people will hire cleaning help for Shabbos, especially when having many guests, to help keep one's home in order. Yet, the household tasks that non-Jewish cleaning help may perform on Shabbos are greatly restricted, mainly because of the prohibition of *Amira l'akum* (asking a non-Jew to perform *melacha* on Shabbos).<sup>1</sup> In the following paragraphs we will discuss how the *halachos* of *Amira l'akum* apply to benefiting from non-Jewish cleaning help on Shabbos. However, because these *halachos* are complex, and a difference of opinion exist on some of the issues involved, one should consult a Rav for a final *p'sak*.

## The Prohibition of *Amira l'akum*: Asking a non-Jew to Perform a *Melacha*

As we have discussed previously, *Chazal* instituted the rabbinical prohibition of *Amira l'akum*, which states that it is prohibited to ask a non-Jew to perform a *melacha* on Shabbos. One may not ask a non-Jew to perform a *melacha* whether it is prohibited *mid'Oraisa* or *mid'Rabannan*, as any activity that a Jew may not perform himself, he may not instruct a non-Jew to perform on Shabbos.<sup>2</sup> This prohibition applies to one's cleaning help just as it does to all other non-Jews,<sup>3</sup> and thus one must be mindful about which chores he may instruct a non-Jewish cleaning help to perform.

## Instructing a maid or cleaning help to perform a *melacha*

One may not ask a maid or cleaning help to perform a *melacha* on Shabbos, as this violates the prohibition of *Amira l'akum*. For example, one may not ask his cleaning help to turn on a light on Shabbos or to lower a flame on Shabbos.<sup>4</sup>

The following are some household tasks that involve a Shabbos prohibition and thus one may not ask his cleaning help to perform them on Shabbos:

- \* **Washing dishes that are not needed for Shabbos.** One may not instruct his non-Jewish help to wash dishes that will not be needed on Shabbos.<sup>5</sup> Since washing dishes for after Shabbos violates the prohibition of *Hachana* (preparing on Shabbos for a post-Shabbos need),<sup>6</sup> one may not ask his non-Jewish help to wash the dishes that are no longer needed on Shabbos.<sup>7</sup>
- ❖ **Folding laundry for use after Shabbos.** One may not instruct non-Jewish help to fold laundry for use after Shabbos, since this also violates the prohibition of *Hachana*.<sup>8</sup>
- ❖ **Taking out the garbage (in an area that has no *eiruv*).** One may not instruct non-Jewish cleaning help to take out the garbage in a place that has no *eiruv*, because taking out the garbage involves the *melacha* of *Hotzah* (Carrying).<sup>9</sup>
- ❖ **Mopping a floor.** In general, using a mop to mop a floor on Shabbos involves the *melacha* of *Oraisa* of *Dosh* (extracting), because when one will inevitably extract water from the mop.<sup>10</sup> Thus, one may not ask a non-Jewish cleaning help to wash the floor on Shabbos as this involves a violation of the prohibition of *Amira l'akum*.<sup>11</sup>
- ❖ **Other prohibited chores.** One may not instruct non-Jewish help to wash,<sup>12</sup> iron or sew clothing on Shabbos, because all these activities involve a Shabbos prohibition and thus instructing non-Jewish cleaning help to perform them on Shabbos violates the prohibition of *Amira l'akum*.<sup>13</sup> (We will later discuss household chores that one may instruct a non-Jewish help to perform on Shabbos.)

## *Amira l'akum* Regarding Employees

Not only do the regular *halachos* of *Amira l'akum* apply to one's cleaning help, but there are also certain stringencies that apply to one's cleaning help that do not apply to other non-Jews. To fully understand what one may and may not allow one's cleaning help to perform on Shabbos it is important to review the *halachos* of *Amira l'akum* regarding employees.

## The arrangement of a *Kablan* and a *S'chir Yom*

When one hires a worker there are two forms of arrangements that can be arranged, as a *kablan* or as a *s'chir Yom*.

**1. a *Kablan* – A worker hired to complete a job.** A *kablan* is a worker that has a specific job to perform and is paid based on the completion of the job (and not for a set amount of time).<sup>14</sup> For example,

- a mechanic is considered a *kablan* because he has a specific job to perform and is paid for completing the job regardless of how long the job took to complete.<sup>15</sup> (Although initially a

mechanic may estimate the price of the job based on the number of hours that he thinks the job will take to complete, ultimately, he gets paid the same amount for completing the job whether it took him longer or shorter than he expected.<sup>16</sup>)

- a drycleaner is considered a *kablan* because he has a specific job that he must complete and is paid the same amount regardless of how long the job took to complete.<sup>17</sup>
- 2. a *S'chir Yom* – A worker hired for a set amount of time.** a *s'chir Yom* is a worker that does not have a specific job to complete but is hired to work for set amount of time.<sup>18</sup> For example,
- A secretary that is paid by the hour is considered a *s'chir Yom* because she is hired to work for set amount of time (e.g., 9:00am to 5:00pm) and does not have a specific job to complete.<sup>19</sup> Rather she is hired during that time to perform any task that needs to be completed during that time.
  - A cleaning lady that is paid by the hour is considered a *s'chir Yom* because she is hired to work for set amount of time and does not have a specific job that must be completed.<sup>20</sup> Rather she is hired during that time to perform any task that needs to be completed during that time.

## The *halachos* of a *Kablan* and a *S'chir Yom*

The *halachos* of *Amira l'akum* differ for a *Kablan* and a *S'chir Yom* because of the different nature of their arrangement.

**1. The *halachos* of a *Kablan* –** A *kablan* is viewed as if he is working for himself not for his employer. Since the *kablan* is hired to complete a specific job, any work that he does to complete the job is intended for his own benefit, for the quicker he completes the job the quicker he fulfills his responsibility.<sup>21</sup> Therefore, if a *kablan* decides to perform his work on Shabbos it does not violate the prohibition of *Amira l'akum*, because any work he performs is for his own benefit and not for his employer's benefit.<sup>22</sup> For example,

- Someone who needs his car fixed may send his car to the mechanic shortly before Shabbos begins even though he knows that the work will be done on Shabbos. Since the mechanic is a *kablan* who is hired to complete a specific job, he is viewed to be working on his own behalf and not on the behalf of his employer and thus sending the car to the mechanic does not involve *Amira l'akum*.<sup>23</sup> (However, one may not tell the mechanic to fix the car on Shabbos, as this would be explicitly asking the non-Jew to perform *melacha* on Shabbos.<sup>24</sup> Similarly, one may not stipulate that the car be fixed by *motzai Shabbos* as this would be tantamount to explicitly asking the non-Jew to perform *melacha* on Shabbos, which is prohibited even by a *kablan*.<sup>25</sup> We will elaborate on the *halachos* of a *kablan* in the next chapter; this chapter will focus on the *halachos* of a *s'chir Yom*.)
- One may drop off his clothing at a drycleaner before Shabbos even though the non-Jewish drycleaners will wash the clothing on Shabbos.<sup>26</sup> Since the drycleaner is categorized as a *kablan* who must complete a specific job, he is performing the *melacha* on his own behalf and thus it does not violate the prohibition of *Amira l'akum*.

**2. The *halachos* of a *S'chir Yom* –** A *s'chir yom* is viewed as if he is working for his employer. Since the *s'chir yom* is not hired to complete a specific job, but to perform any task that needs to be completed during that time. Therefore, any work that he does is for the behalf of his employer, not for his own benefit.<sup>27</sup> Accordingly, if a *s'chir yom* decides to perform a *melacha* on Shabbos he is doing so on the behalf of his Jewish employer, and it is as if the Jewish employer explicitly asked the employee to perform these chores on Shabbos violating the prohibition of *Amira l'akum*. For example,

- One may not allow his non-Jewish secretary to perform work at home over Shabbos (e.g., typing, photocopying, etc.), because any task that she performs on Shabbos is done on behalf of her employer and is as if the Jewish employer explicitly asked her to perform this work on Shabbos.<sup>28</sup>
- One may not allow his non-Jewish cleaning lady to perform a chore that involves a *melacha* even if she decides to do so on her own without being asked.<sup>29</sup> Since a cleaning lady is categorized as a *s'chir yom* any act that she performs is on behalf of her Jewish employer. Since he hired her to perform chores, any chore that she performs is considered as if he

1 When one has a housekeeper coming to his house on Shabbos, he should request that the housekeeper not park in his driveway on Shabbos (Practical & Relevant Hilchos Shabbos, reviewed by Rabbi Shmuel Felder, p. 185) 2 Mishna Berura 253:94 3 This applies to both components of *Amira l'akum*: *Amira*: Asking a non-Jew to perform a *melacha*, and *Hana'ah*: Benefiting from a *melacha* performed by a non-Jew. Both components apply to chores performed by one's non-Jewish cleaning help just as they do to all other non-Jews, as one may not instruct a cleaning help to perform a *melacha* or even benefit from a *melacha* that a cleaning help performed for the sake of the Jewish employer. 4 39 Melochos p. 80 5 Orchos Shabbos 22:194; Machzeh Eliyahu (63); The Sanctity of Shabbos p. 88; Nishmas Shabbos 4:364. 6 See Volume One, Chapter Twenty-Six, Loading a Dishwasher 7 This is based on the ruling of the Mishna Berura in several places (313:56; 319:62; 321:21; 459:35; 510:23) who rules that the rabbinical prohibition of *Hachana* is treated like all other rabbinical prohibitions of Shabbos and is considered a *shvus d'shvus* which is only permitted in certain situations (e.g., a loss of money, etc.). However, the *Pri Megadim* (*eishel Avraham*, beginning of *siman* 503) is in doubt whether the prohibition of *Amira l'akum* applies to the rabbinical prohibition of *Hachana*, because perhaps since *Hachana* is prohibited only because of *Tircha* (excessive effort) it does not apply to asking a non-Jew (as only rabbinical *melachos* are included in the prohibition of *Amira l'akum*). *Da'as Torah* (*siman* 442, p. 42) quotes the *Pri Megadim* and rules leniently to permit asking a non-Jew to perform an act of *Hachana* on Shabbos. The *Elya Rabbia* (252:12) also seems to permit asking a non-Jew to perform an act of *Tircha*. (See also 39 Melochos p. 81, note 314) Nishmas Shabbos (*ibid*) concludes that although there are *poskim* who permit *Amira l'akum* to perform an act of *Hachana*, the *halacha* follows the *poskim* who are stringent and prohibit asking a non-Jew to perform an act of *Hachana* on Shabbos. There is a scenario where it would be permitted to tell cleaning help to wash dishes on Shabbos, in a situation where the cleaning help would be washing the dishes in Shabbos for their own benefit because otherwise, they would need to return on *motzai Shabbos* to wash the dishes (Orchos Shabbos 22:194, note 295; 39 Melochos p. 81). For example, cleaning help that is hired by a caterer to clean up and wash dishes after a *simcha* may wash the dishes on Shabbos, because they are doing so for their benefit so that they do not need to return after Shabbos to wash the dishes. However, cleaning help that comes to one's private home will typically not need to return on *Motzai Shabbos* if the dishes are not done on Shabbos. 8 Since it is prohibited for a Jew to perform an act of *Hachana*, he may not ask a non-Jew to perform an act of *Hachana* on Shabbos as well, as we discussed in the previous note. 9 See The Sanctity of Shabbos p.100 10 Orchos Shabbos 18:46. If one washed the floor without an absorbent mop (e.g., by using a rubber mop; a 'sponga'), it is still rabbinically prohibited. Although the *melacha* of *Dosh* is not violated because water is not absorbed and hence not extracted from the mop, it is nevertheless prohibited rabbinically due to the prohibition of *Mashveh gumos* (leveling the ground) (*Shulchan Aruch* 337:3; *Mishna Berura* 337:16; see Volume One, Chapter Twenty-Four: Cleaning in the Kitchen for an elaboration on this prohibition). 11 Orchos Shabbos 23:56 (see note 125). In a case of great need or for a mitzvah need, it is permissible to ask a non-Jewish cleaning help to wash the floor with a *rubber mop* since doing so involves only a rabbinical prohibition of *Mashveh gumos* (see previous note), asking a non-Jew to mop the floor in such a manner is considered a *shvus d'shvus* which is permitted in a time of great need or for a mitzvah need (Orchos Shabbos 23:56). For example, one may ask a non-Jewish cleaning help to use a rubber mop to wash the floor of a *shul* that became significantly and can be considered a mitzvah need. Similarly, if the floor of one's house became unusually dirty one may ask a non-Jew to use a *rubber mop* to wash the floor (see *Shmiras Shabbos K'hilchaso* 23:6; *Orchos Shabbos* 18 note 76). If one has a rubber mop available for the non-Jewish cleaning help to use, one may ask the non-Jewish cleaning help to wash the floor with either the rubber mop or the regular mop and if the non-Jewish cleaning help chooses to use a regular mop to wash the floor one may allow her to do so. Since she is using the mop for her own benefit to make it easier for herself to wash the floor and not for the benefit of the Jew it does not violate the prohibition of *Amira l'akum* (Orchos Shabbos, *ibid*). 12 39 Melochos p. 81 13 39 Melochos p. 81 14 *Shulchan Aruch* 244:1 15 39 Melochos p. 78; The Sanctity of Shabbos p. 63 16 39 Melochos p. 78 17 39 Melochos p. 78 18 *Shulchan Aruch* 243:1; *Mishna Berura* 243:5; see *Shulchan Aruch HaRav* 244:1 19 39 Melochos p. 79; The Sanctity of Shabbos p. 68 20 39 Melochos p. 81; The Sanctity of Shabbos p. 68 21 *Shulchan Aruch* 244:1 22 *Shulchan Aruch HaRav* 244:1 23 39 Melochos p. 78; The Sanctity of Shabbos p. 63 24 *Shulchan Aruch* 252:2 25 *Mishna Berura* 247:4, 252:16 26 39 Melochos p. 78; The Sanctity of Shabbos p. 63 27 *Shulchan Aruch HaRav* 244:1 28 39 Melochos p. 80; The Sanctity of Shabbos p. 68

asked her to perform it on Shabbos. Therefore, one may not allow his non-Jewish cleaning lady to perform a *melacha* on Shabbos – even if she does so on her own.<sup>30</sup> We will now give examples of which chores one may allow a cleaning lady to perform on Shabbos.

### Allowing a cleaning lady to perform a *melacha* related chore on Shabbos

Since a cleaning lady is considered a *s'chir yom* one may not allow her to perform any chore that involves a *melacha*, even if she does so on her own without being asked to do so by her Jewish employer. The *Mishna Berura*<sup>31</sup> writes that "If one sees their cleaning lady performing a chore on Shabbos that involves a *melacha* the employer must protest and stop the cleaning lady from doing *melacha* on Shabbos – even if she decided on her own to perform the chore without an explicit directive form her employer." For example,

- If one's non-Jewish cleaning lady decides on her own to fold laundry (that is not needed for Shabbos), the Jewish employer must ask her to refrain from doing so on Shabbos, because folding the laundry involves the prohibition of *Hachana*. Although the cleaning lady was explicitly asked to fold the laundry, any chore that she performs is on the behalf of her employer and it is considered as if she was asked to perform the *melacha* on Shabbos.
- One may not allow a non-Jewish cleaning lady to turn off a light or noisy alarm on Shabbos.<sup>32</sup>
- One may not allow a non-Jewish cleaning lady to wash dishes that are not needed for Shabbos.<sup>33</sup>
- One may not allow a non-Jewish cleaning lady to take out the garbage to a place that does not have an *eiruv*.<sup>34</sup>

### Household chores that may be given to non-Jewish cleaning lady

Despite the many limitations to what one may allow a non-Jewish cleaning lady to perform on Shabbos, there are many chores that one may ask her to perform on Shabbos.<sup>35</sup> For example, one may ask a non-Jewish cleaning lady to:

- Set the table
- Wash dishes that are needed for Shabbos
- Clear the table
- Take out the garbage to a place that has an *eiruv*
- Cut fruit<sup>36</sup>

Since these activities do not involve a *melacha*, one may obviously ask a non-Jew to perform them on Shabbos.

### Asking a cleaning lady to perform a chore that may involve a *melacha*

One may ask a non-Jewish lady to perform a non-*melacha* activity, even if it may result in the non-Jew performing a *melacha*.<sup>37</sup> Since the activity can be performed in a permissible method, if the non-Jew chooses to perform a *melacha* she is doing so for her own convenience and is therefore permissible. For example,

- ❖ **Washing dishes.** One may ask a cleaning lady to wash the dishes (that are needed for Shabbos), even though she may use hot water and a sponge to wash them.<sup>38</sup> Since the dishes can be washed in a permissible manner (i.e., with cold water and without a conventional sponge), one may ask the cleaning help to wash them. If the non-Jewish cleaning help chooses to perform a *melacha*, she is doing so to make it easier for herself to perform the chore.<sup>39</sup>
- ❖ **Cleaning.** One may ask a cleaning woman to wipe down a table or counter, or clean up a spill, since they can be performed in a permissible method. Although the non-Jew may wring a cloth to complete these chores it is nevertheless permissible to ask her to do so, since the *melacha* she performs is for her own sake to make it easier to perform the chore.<sup>40</sup>
- ❖ **Turning on a light.** Although it is prohibited to ask (or even allow) a cleaning woman to turn on a light on Shabbos, the *Mishna Berura*<sup>41</sup> writes that it is permissible to ask the cleaning woman to do a chore in the room where the light is off (e.g., to bring an item from the room), even though she will turn on the light to perform the task. As above, since she is turning on the light to make it easier for herself to perform the chore, asking her to perform the chore is permitted. After the light has been turned on, he may ask the non-Jewish cleaning woman not to turn off the light.<sup>42</sup>

### Zilzul Shabbos — Degradation of Shabbos

Although we found permissible ways to allow cleaning help to perform household tasks on Shabbos, it is never permissible if these activities involve *zilzul Shabbos* – a degradation of Shabbos. For example, the *Rema*<sup>43</sup> rules that an activity that makes a lot of noise is considered *zilzul Shabbos*. Accordingly, the *poskim* rule that:

- One may not allow a cleaning woman to clean the carpet using a vacuum cleaner.<sup>44</sup> Even though she may be using it for her own convenience, one may not allow her to use it because it degrades the sanctity of Shabbos.

- One may not allow a cleaning woman to use a dishwasher to clean the dishes (even if they are necessary for Shabbos), since it is considered *zilzul Shabbos*.<sup>45</sup>
- One may not allow a cleaning woman to wash windows on Shabbos, since it is considered *zilzul Shabbos* to undertake such a chore on Shabbos.<sup>46</sup>

### Paying Cleaning Help on Shabbos

The *Mishna Berura*<sup>47</sup> writes that one may not pay a non-Jew on Shabbos, due to the prohibition of *mekach u'memkar* (business related activities). Even leaving the money in a secure place for the cleaning help to take on her own is prohibited.<sup>48</sup> Accordingly, arrangements must be made to pay the cleaning help either before or after Shabbos.<sup>49</sup>

### Postscript: Maris Ayin – Workers entering one's property on Shabbos

There is an important topic that is related to the *halachos* of a *kablan* which is peripheral to our discussion of cleaning help but is worth reviewing: the prohibition of *Maris Ayin*, a suspicious looking activity. The prohibition of *Maris Ayin* states that one may not perform an act that, although permissible, looks suspicious to an onlooker.<sup>50</sup> The *Shulchan Aruch*<sup>51</sup> writes that one may not allow a *kablan* to do work on his property. Although, as we discussed earlier, it is generally permitted to allow a *kablan* to perform work on Shabbos (e.g., a mechanic may work on one's car on Shabbos), because they are hired to complete a specific job and are working on their own behalf, one may not allow the *kablan* to work on his property. This is because an onlooker who sees the non-Jew working on the Jews property will suspect that the Jew explicitly told the *kablan* to perform the job on Shabbos (which would obviously be prohibited).<sup>52</sup> For example,

- ❖ One may not allow a plumber, electrician, or painter work in his home on Shabbos.<sup>53</sup> Although these are workers are considered *kablanim* because they are hired to complete a specific job, it is nevertheless prohibited to allow them to work on one's property because of the prohibition of *Maris Ayin* as an onlooker may assume that the *kablan* was explicitly asked to perform the work on Shabbos. Thus, if the worker comes to one's house on Shabbos he should be asked to leave.<sup>54</sup>
- ❖ One may not allow construction workers build or work on one's house on Shabbos.<sup>55</sup> It is obviously forbidden to explicitly instruct the workers to work on Shabbos, but it is even prohibited to allow the workers to work on his house even if they decided on their own to work on Shabbos. Although the workers are *kablanim* and are technically working on their own behalf, allowing them to work on one's property violates the prohibition of *Maris Ayin* as an onlooker may assume that the *kablan* was explicitly asked to perform the work on Shabbos.<sup>56</sup>

### Zilzul Shabbos

In some situations, allowing a worker to perform work on one's home on Shabbos may not involve the prohibition of *Maris Ayin*, because it is common knowledge that the workers create their own schedules, yet may involve the prohibition of *zilzul Shabbos* (a degradation of Shabbos). For example,

- ❖ **Gardeners.** Although one may obviously not schedule a gardener to come garden his yard on Shabbos, as this would violate the prohibition of *Amira l'akum*, if one's gardener decides on his own to schedule the gardening on Shabbos it may not involve the prohibition of *Maris Ayin*, since it is well known that gardeners set their own schedule as to which days to garden, an onlooker will not assume that the Jew specifically asked the gardener to come on Shabbos.<sup>57</sup>

Nevertheless, allowing the gardener to work on one's yard on Shabbos involves the prohibition of *zilzul Shabbos*, as allowing them to work on his garden on Still, in other situations allowing a worker to perform work on one's property on Shabbos creates a commotion that degrades the holy atmosphere for Shabbos.<sup>58</sup>

Still, in other situations allowing a worker to perform work on one's property does not involve the prohibition of *Maris Ayin* or *zilzul Shabbos*. For example,

- ❖ **Garbage Collection.** One may put garbage outside his house before Shabbos or Yom Tov to be collected by the city sanitation workers. Since these workers are *kablanim* the prohibition of *Amira l'akum* does not apply. Furthermore, the prohibition of *Maris Ayin* does not apply, because it is common knowledge that it is the city that sets the collection schedule and not the homeowner.<sup>59</sup> It is also not a *zilzul Shabbos* to allow the workers to collect the garbage, because it is not an activity that creates a commotion and is not degrading to the sanctity of Shabbos.

29 39 Melochos 80; The Sanctity of Shabbos p. 99 30 Live-In maids. Many *poskim* (Rav Moshe Feinstein and other *poskim* cited in *The Sanctity of Shabbos* p. 91, note 12) rule that in our times, full-time, live-in maids are different from the domestic cleaning help in the times of the *Mishna Berura*. Since a live-in maid is not paid by the hour for her work but rather for ensuring that the house is neat, clean, and in order, in many situations she has the flexibility to choose her own hours of work and is thus considered a *kablan*, because technically she can choose not to work on Shabbos, and instead catch up on her work after Shabbos. Therefore, any *melacha* that is performed on Shabbos is done for her own benefit and convenience (so that she does not need to work after Shabbos), and not because she has been instructed to do so by her Jewish employer. Therefore, one may allow a live-in maid to perform a chore even if it involves a *melacha* [so long as it provides a benefit that is only by removal, not a positive benefit, otherwise one may not benefit from the *melacha* that the non-Jew performed on behalf of the Jew]. For example: **Washing dishes for use after Shabbos.** One may allow his live-in maid to wash the dishes on Shabbos if he does not explicitly instruct her to do so. Although the dishes are no longer needed for Shabbos, because the Jewish employer did not explicitly instruct the live-in maid to perform this act of *Hachana*, allowing her to wash the dishes does not violate the prohibition of *Amira l'akum* (*The Sanctity of Shabbos* p. 93). **Folding laundry.** One may allow his live-in maid to fold laundry on Shabbos if he does not explicitly instruct her to do so (*The Sanctity of Shabbos* p. 93). **Mopping the floors.** One may allow his live-in maid to mop the floors on Shabbos if he does not explicitly instruct her to do so (*The Sanctity of Shabbos* p. 93). (This is assuming that the live-in maid has the flexibility to postpone washing the floor until after Shabbos.) **Taking out the garbage (even where there is no *eiruv*).** One may allow a live-in maid to take out the garbage into a *reshus harabim* as long as he does not explicitly instruct her to do so (*The Sanctity of Shabbos* p. 93). One should inform the maid at the start of her employment that she is not obligated to perform those activities that are prohibited on Shabbos but can perform them when it is most convenient for her (*The Sanctity of Shabbos* p. 93). By contrast, most part-time cleaning women do not have the flexibility to choose their own schedule, and accordingly when they perform a prohibited activity it cannot be assumed that they are doing so for their own convenience, but rather because they have been instructed by their Jewish employers (albeit non-explicitly) to perform these activities. Therefore, one may not allow part-time cleaning help to perform a prohibited activity, even if he or she chose to do so on their own. 31 244:30 32 39 Melochos p. 80 33 *The Sanctity of Shabbos* p. 100 34 *The Sanctity of Shabbos* p. 100 35 *The Sanctity of Shabbos* p. 99 36 However, one may only tell the non-Jew to cut up fruits or vegetables in a way that does not violate the *melachos* of *Tochain* (Grinding) or *Borer* (Sorting). If after the non-Jew is told to perform these activities in a permissible manner and the non-Jew performs the *melacha* on his own for his own convenience, it is permissible. 37 See *Mishna Berura* 276:27; *Orchos Shabbos* vol. 2 p. 466, note 115; 39 *melachos* pg. 81 38 *Mishna Berura* 276:27; *Orchos Shabbos* vol. 2 p. 466, note 115; 39 *melachos* pg. 81 39 *Orchos Shabbos* (23:55) adds that this is only true if during the week one is not particular that the cleaning lady washes the dishes with hot water. However, if during the week one is careful to tell the cleaning lady to wash the dishes specifically with hot water, then he may not tell her to "wash the dishes" it is as if he is telling her to use hot water to wash the dishes on Shabbos. In this case he must specify that she may wash the dishes on Shabbos with either cold or hot water, then if she chooses to use hot water it is for her own benefit. 40 39 Melochos p. 81 41 276:27 (*Orchos Shabbos* (23:60-61) 42 Shmiras Shabbos k'hilchaso 30:57 43 252:5 44 *The Sanctity of Shabbos* p. 89 45 *The Sanctity of Shabbos* p. 89 from Rav Moshe Feinstein; *Orchos Shabbos* 23:55 46 *The Sanctity of Shabbos* p. 89 47 325:19 48 *Shmiras Shabbos k'hilchaso* 30:33; *Orchos Shabbos* 23:120 49 *Shmiras Shabbos k'hilchaso* 30:33; *Orchos Shabbos* 23:120 50 Rav Moshe Feinstein (Igras Moshe O.C. 2:64 d'h *Vlamah*) explains that when someone performs a suspicious looking act there are really two concerns: 1) The onlookers will come to think that the sin they believe that they are seeing is not so severe or entirely permitted, 2) The onlookers will look badly at the person they believe is performing the sin. 51 252:2; see *Mishna Berura* 252:17 52 *The Mishna Berura* (252:17) explains that there are really two concerns with allowing a *kablan* to work on one's property on Shabbos: 1) An onlooker may assume that the worker is a *s'chir yom* and not a *kablan*, 2) Even in a situation where it is obvious that the worker is a *kablan* and not a *s'chir yom*, the *Chai Adam* writes that there is an additional concern that an onlooker may assume that the employer explicitly requested that the worker perform the job on Shabbos, which is prohibited. 53 *The Sanctity of Shabbos* p. 72 54 *Mishna Berura* 242:22. If the homeowner will incur an additional fee for having the worker return a second time, the *halacha* depends on whether the worker was told not to come on Shabbos (*The Sanctity of Shabbos* p. 73): If the worker was told not to come on Shabbos, then the owner is not required to suffer the additional loss and may allow the worker to perform his work on Shabbos. However, if the worker was not specifically told not to come on Shabbos, the worker may not work on Shabbos and the homeowner must suffer the additional loss. 55 *The Sanctity of Shabbos* p. 99. Regarding someone who hires a company to shovel his snow whenever it snows, if it snows on Shabbos is he permitted to allow them to shovel the snow on his sidewalk on Shabbos? *Nishmas Shabbos* (5:150) writes, if a significant amount of snow falls and may cause someone to slip and get hurt, he may certainly allow them to shovel the snow, he may even ask them explicitly on Shabbos. However, if only a minimal amount of snow fell and does not pose a danger, one may not allow them to shovel the snow due to the prohibition of *Maras Ayin*. 56 See *The Sanctity of Shabbos* p. 99 where he writes that this is prohibited under the prohibition of *zilzul Shabbos* and not *Maras Ayin* because people will not assume that one asked the builder to work on Shabbos. However, in an area that people would ask the worker to specifically work on Shabbos (e.g., so that the building or construction will be completed sooner) the prohibition of *Maras Ayin* would seem to apply as well. 57 *The Sanctity of Shabbos* p. 75; *Nishmas Shabbos* 5:149 58 *The Sanctity of Shabbos* p. 76; 39 *Melochos* p. 83 59 *The Sanctity of Shabbos* p. 84; 39 *Melochos* p. 86