

Chapter – 37

Hiring

(اجرت)

Quran:

يَا أَبَتِ اسْتَأْجِرْهُ إِنَّ خَيْرَ مَنِ اسْتَأْجَرْتَ الْقَوِيُّ الْأَمِينُ

{ Indeed a strong and trustworthy employee is better. (28:26) }

قَالَ إِنِّي أُرِيدُ أَنْ أَنْكِحَكَ إِحْدَى ابْنَتَيَّ هَاتَيْنِ عَلَى أَنْ تَأْجُرَنِي ثَمَانِي حَجَّجٍ

{ He said, "I wish to give you one of these two daughters of mine in marriage, the bridal money being that you work for me for eight years".

(28:27) }

Hadith:

Narrated 'Aisha:

At the time of migration to Madinah, the Noble Prophet and Abu Bakr employed one man from the tribe of Bani Ad-Dail and another man from the tribe of Bani 'Abd as their guides. Both Prophet and Abu Bakr had confidence in them and gave them their riding camels and told them to bring these camels to the Cave of Thaur after three days. So, both persons brought the two riding camels on the fixed time. After that they left for Madinah. (Sahih Bukhari: 2121and2122)

Narrated 'Umar bin Al-Khattab and Ibn 'Umar:

(Taking help of a narrative) the Prophet said, the illustration of Muslims, Jews and Christians is like an example of a man who employed some laborers and asked them, 'Who will work for me from morning till midday for one Qirat?' The Jews accepted and carried out the work. He then asked, 'Who will work for me from midday up to the 'Asr prayer for one Qirat?' The Christians accepted and fulfilled the work. He then said, 'Who will work for me from the 'Asr till sunset for two Qirats?' Muslims have accepted the offer. The Jews and the Christians got angry and said, 'Why should we work more and get lesser wages?' Allah SWT said, 'Have I with-held part of your right?' They replied in the negative. He said, 'It is My Blessing, I bestow upon whomever I wish.' (Sahih Bukhari: 2125ans2126)

Narrated Abu Hurairah:

The Noble Prophet said, "Allah SWT said, 'I will be an opponent to three types of people on the Day of Resurrection':

1. One who makes a treaty in My Name, but then proves false.
2. One who sells a free person and eats his price; and
3. One who employs a laborer and takes full work from him but does not pay him for his labor.' " (Sahih Bukhari: 2127)

Important Aspects of Islamic Doctrine

❖ **Definition and Kinds:**

- Hiring is a kind of trade. If anyone is selling his labor then he is called seller, and the fellow who is buying is called buyer, and the labor charges that has been fixed is called price. Similarly, anyone who gives his house or transport on rental basis then he is seller and one who uses the house or transport is buyer and the rent is its price.
- Working in any department, or taking a work on contract, or giving a house or shop on rent is a kind of trade.

❖ **Conditions:**

1. For letting out any work a proper written contract is essential.
2. In any contract, details of work and its place has an importance. And against it, it is also essential to clarify the extent of price and the final outcome.
3. When price is linked with the time then the period should clearly be mentioned. For instance; a house or a transport is given on rent, both parties should know all about the period and the extent of price.
4. Labor charges can be established after completion of work, but as regards the rent of a house or shop, a demand for the advance payment may also be done.
5. Where the joint ownership for any property exists, total agreement on all matters must be settled first.

