

09/22/2006

Living Wage: Mandate Of Jewish Law?

N.Y. rabbi presses hot economic issue before Conservative movement's religious law committee.

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The headlines are all about Conservative Judaism's internal battle over gay and lesbian rabbis. But in the movement's innermost sanctums, a New York rabbi is waging a much less visible but no less focused battle to convince the movement to take a moral stand on one of the nation's top economic issues — the living wage, or requiring employers to pay workers enough to live above the poverty line.



And while such plans have raised the hackles of some Jewish business owners and worried Jewish organizations that might be forced to pay their own workers more, the efforts of Rabbi Jill Jacobs have won cautious praise from Conservative leaders who say they are eager to see their movement tackle thorny economic and social justice issues, guided by the precepts of Jewish law.

Rabbi Jacobs, education director for the New York-based Jewish Funds for Justice, is one of a growing cadre of young activist rabbis who are pushing the Conservative movement to take bolder stands on some of the day's most controversial issues.

And the troubled movement doesn't seem unhappy about the nudge.

"It's an important issue; halacha has to be related to the issues of society," said Rabbi Jerome Epstein, president of the United Synagogue of Conservative Judaism. "This is one such issue. It's not just about ritual, but about Jewish living in a modern world."

Other Conservative leaders say that while they may object to some elements of Rabbi Jacobs' proposals, they are consistent with the movement's desire to delve more deeply into business ethics and Jewish law.

Rabbi Jacobs, a 30-year-old Boston native, submitted a teshuva, or rabbinic legal opinion, to the movement's Committee on Jewish Law and Standards, which rules on questions of law for the movement, arguing that Jewish employers are obligated to pay a living wage — defined as enough to allow workers in a specific locality to live above the poverty

line, unlike the national minimum wage, which has not been increased in more than a decade.

The teshuva — a 53-page document dense with citations from Jewish texts as well as economic analyses — failed, however. It received three votes for, seven against and 10 abstentions, with another five members absent.

“It was death by abstention,” she said. “Some people were worried about the language of obligation and about turning congregants into sinners.”

But Rabbi Jacobs said some of those who abstained indicated they might vote for a modified proposal.

Some members were also unhappy with the other half of her teshuva, which mandates that Jewish employers hire union members whenever possible. Several said they would vote for a revised living wage proposal if the union provision was modified or eliminated.

Rabbi Jacobs said the measure, if adopted, would have both religious and practical significance.

“It’s important for us to make a strong statement about what it means to be an observant Conservative Jew,” she said. “It’s not just about keeping kosher, about Shabbat, about shul, although these things are all important. It’s also about what we do at work as well.”

In practical terms, she said, a strong position by the Conservative movement “would have impact on lives of some workers. Synagogues would have to look at payrolls. How much are we paying janitors? Caterers?”

And Jewish business owners who feel bound by the rulings of the movement’s legal body “would have to look at what they are paying their own employees,” she said.

Jane Ramsey, executive director of the Jewish Council on Urban Affairs (JCUA) in Chicago, said the impact of an endorsement of the living wage concept by the Conservative legal body could be “huge.”

JCUA — one of a growing network of local Jewish social and political action groups that have taken the baton of liberalism from large national groups that have grown more cautious and more conservative in recent years — has been in the thick of several living wage debates in Chicago.

“We were part of a coalition three or four years ago that got a living wage ordinance passed that affects people who do business with the city,” she said.

More recently, the group supported a controversial proposal that requires businesses with more than \$1 billion in sales and stores larger than 90,000 square feet to pay a living

wage — a measure aimed at “big box” chain stores that have been making inroads in the Chicago market.

That passed the City Council, but was vetoed by Mayor Richard Daley, who said it would result in lost jobs for the city. Wal-Mart, the nation’s largest retailer, said it would not open stores inside the city if the law was enacted.

Backers of the legislation are preparing a new version, Ramsey said, that will meet some of the mayor’s objections.

Still, opposition will be formidable — from business owners, who say such measures will hurt their bottom line and result in job cutbacks, and from nonprofits, which fear their already-strapped budgets will be devastated if they are forced to offer salary increases to support staff, as well as benefits.

That includes Jewish groups, many of which have shied away from supporting living wage proposals.

When a living wage resolution was offered in the Washington suburb of Montgomery County, Md., it was opposed by the local Jewish federation because of its potential impact on nonprofits.

In Chicago, Ramsey said, major Jewish groups “were not involved. And there was really no effort to bring them on board, because we knew where they stood.”

That could change if the Conservative movement’s law committee makes a living wage a matter of religious obligation, she said. “It would send out a clear message to our religious constituents who have businesses that this is how we lead our lives.”

She said numerous studies have been done on jurisdictions that have passed living wage statutes — currently, some 60 cities and counties have done so — and that most show “no discernable loss” of jobs and significant benefits for lower-income employees.

A few other Jewish groups support the idea of a living wage, although few have made it a top priority. The Jewish Council for Public Affairs, the National Council of Jewish Women, the Jewish Labor Committee and the Religious Action Center of Reform Judaism have all endorsed the concept.

Earlier this year, the Reform, Conservative and Reconstructionist movements joined a broad coalition of religious groups in an effort to use the economic clout that derives from their periodic conventions and meetings to push for better treatment for workers in the hospitality industry.

Rabbi Jacobs, who pressed the Law Committee initiative, said she hopes to submit a revised living wage teshuva to the Committee next spring. She declined to detail what changes she would make in its language, but said, “I am starting to get a better sense of

what it will take to get it passed.”

Rabbi Elliot Dorff, rector of the University of Judaism and a member of the law committee, said Rabbi Jacobs has a good chance of winning this time, in part because the committee is actively trying to expand its focus on Jewish business ethics from a religious perspective.

“It’s very important for the committee to be dealing with these kinds of issues,” said Rabbi Dorff. “We have already approved teshuvot on privacy on the Internet and whistle blowing. We have a whole list of questions generated by the subcommittee on business ethics for which we believe a Conservative Jewish response would be very important.”

The fact that the business environment has changed so dramatically in recent years because of technology and the Internet, he said, makes it even more important that the religious community provide some moral and ethical guidelines.

He agreed that the Conservative movement is being pushed by a cadre of young, religiously oriented members to take up the cause of social justice from a distinctly religious perspective.

Rabbi Jacobs, who is also offering a weekly “social justice beit midrash” in New York beginning next month, agreed.

“Something very interesting is going on,” she said. “When I look around, I see a pretty high percentage of Conservative rabbis who are involved in social justice, especially among those who have been ordained in the last 10 ten years. And the movement isn’t trying to kick us out.”