

FORWARD

Pushing for Better Wages, Not Necessarily Giving Them

Conservative Leaders Support 'Living Wage' and Magen Tzedek, but So Far Little Change at Shul

By Nathaniel Popper

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Rabbi Michael Siegel has been a leading advocate for improving the treatment of workers in kosher food facilities. As the founding co-chair of the Hekhsher Tzedek program, Siegel was behind the release last month of detailed standards on how kosher companies should properly compensate their employees. Soon after the release of those standards, though, Siegel took a look at the wages and benefits of the janitors at his Chicago synagogue.



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Working: Employees at Anshe Chesed, a Conservative synagogue in New York, prepare a Sukkah. The rabbi says all workers are given health insurance and wages that would meet new standards.

He was abashed to find that Congregation Anshe Emet would not currently be in full compliance with the standards he had just released.

“There are issues of benefits that are not where they should be,” Siegel told the Forward. “We are challenged like everyone else in terms of wages and benefits. But that’s one of those deals where if you want to talk the talk, you have to walk the walk.”

Conservative movement rabbis like Siegel have taken a leading role in advocating for better treatment of low-wage employees across the country. Siegel’s Hekhsher Tzedek commission is a Conservative movement project that has provided very specific expectations for how kosher food companies should compensate their employees. It is proposing to award a special “Magen Tzedek” seal — the term translates as shield of justice — to products whose companies are found to meet these standards.

Separately, a year before the Hekhsher Tzedek standards were released, the Conservative movement’s Committee on Jewish Law and Standards responded to a call for social justice by passing a *teshuvah*, or religious ruling, which stated that Jewish employers should pay their employees a living wage.

Despite all this advocacy, people in the middle of the push for better wages say that only a few Conservative synagogues and institutions have begun to do the hard work of looking at how they treat their own janitors and nursery school teachers and caterers.

“There’s somewhat of a reluctance to look inward and think and talk about our own employment practices,” said Rabbi Jill Jacobs, who was the author of the living wage *teshuvah* last year. Jacobs said she had heard of few Jewish institutions that changed their compensation policies to comply with the *teshuvah*.

Even among advocates for the Magen Tzedek, there has been a realization of just how difficult the standards can be to meet — particularly in the tough financial climate of the recent recession. At Siegel’s Chicago congregation, wages and benefits were previously raised for full-time employees to comply with living wage standards. But Siegel said that after releasing the Hekhsher Tzedek standards, he discovered that his part-time employees are not given the health benefits the Hekhsher Tzedek documents call for. He is also concerned about wages and benefits received by maintenance people sent to his synagogue by an outside contractor.

“The good news is that we are in a much better place than we were — but we’re not where we should be,” Siegel said.

Near Los Angeles, Rabbi Dov Gartenberg has been outspoken on social justice issues, signing onto a union petition demanding living wages for janitors. But at his own synagogue, Temple Beth Shalom of Long Beach, Gartenberg said he has failed to convince the board to provide health insurance for the synagogue janitor.

“Rabbis may be a moral beacon in terms of discussion, but decisions are made by boards, and they are looking at their bottom line,” Gartenberg said.

The current attention within the Conservative movement to worker treatment arose in full force after the Forward reported in 2006 on the poor treatment of low-wage workers at the world's largest kosher slaughterhouse, Agriprocessors, in Iowa.

Since then, the Hekhsher Tzedek commission has been working to create a new Magen Tzedek seal for kosher companies that practice good business ethics. A draft of the standards for the Magen Tzedek, released in September, is aimed at food-production companies. The draft does not refer specifically to how a synagogue or other nonprofit institution should follow the standards. Because these standards are aimed at kosher businesses, which are mostly owned and operated by Orthodox Jews, they have been criticized as anti-Orthodox.

But Joe Regenstein, the Cornell University food scientist who designed the new standards, put a full page in the draft he wrote calling on Conservative institutions to recognize their responsibility to adhere to the standards.

“It is to be expected that institutions of the Conservative Movement will rightfully be under pressure to meet those standards that are applicable in all the facilities associated with the movement,” Regenstein wrote in a page that did not appear in the public draft of the standards, which is currently open for public comment.

Regenstein said that he plans to examine how the standards might be tailored for nonprofit Jewish institutions. But a number of basic rules in the Magen Tzedek draft would apply to any institution with staff. The draft calls for every worker to earn at least 115% of the local minimum wage, and to receive benefits that are equal to 35% of the wages — even if the workers are part-time. That level of benefits is generally possible only when workers receive some sort of health insurance.

Morris Allen, the Minnesota rabbi who got the Hekhsher Tzedek movement going, said that when he first started to criticize labor practices of the kosher meat company Agriprocessors, he looked at his own synagogue and realized that it was not providing its own janitor with health insurance. His synagogue quickly changed that.

“We said that it was not appropriate to be in a situation where we were not living by our own values,” Allen said.

Jacobs' living wage *teshuvah* has received less attention than Allen's Magen Tzedek, but seems to have more immediate relevance for Conservative institutions. The *teshuvah* is addressed specifically to Jewish institutions and, because it was passed by the movement's rabbinical Committee on Law and Standards, is supposed to stand as the Conservative understanding of Jewish law on the subject. On the other hand, under pressure of debate and compromise over various drafts, the *teshuvah*'s final language refers to the standards as those that Jewish employers “should” meet rather than the imperative language that more commonly characterizes religious rulings.

“This is something that rabbis in synagogues have to take seriously and try to incorporate into their Jewish practice,” said Rabbi Elliot Dorff, the chairman of the committee, and a rector at the American Jewish University.

It is in some ways easier to follow the living wage *teshuvah* than the Magen Tzedek standards because the *teshuvah* goes into much less detail and does not address the need for health care, as the Magen Tzedek does. But calculating a living wage is more complicated: The *teshuvah* gives four different formulas that provide different minimums. In most localities, however it is calculated, a living wage is higher than the wage floor set by the Magen Tzedek.

In Minneapolis, for instance, the Magen Tzedek standard of 115% of the minimum wage would be \$8.34 an hour, while a living wage, as defined by the city (one of the four formulas that the *teshuvah* advocated), is \$11.66 an hour. Most ordinances passed by municipalities have defined a living wage as between \$9 and \$13 an hour. Another standard advocated by the living wage *teshuvah*, the so-called “housing wage,” would be \$14.69 an hour in Minneapolis.

Since the living wage *teshuvah* was passed in May 2008, the 667 registered Conservative synagogues in North America have had time to put it in force. But the law had no binding power and no enforcement mechanism, and it does not appear that any effort was made to distribute the text of the *teshuvah* to synagogues across the country. Conversations with rabbis and Conservative officials showed that there have been few efforts to put a living wage into effect — or even to track progress on the issue.

The largest Conservative institution, the Jewish Theological Seminary in New York, did not return multiple phone calls and emails asking for comment about how it compensates its employees.

Rabbi Steven Wernick, the new head of the United Synagogue for Conservative Judaism, said the push for wage justice is “something that leadership of the movement — both lay and professional — is excited about.”

But, he added, “The goal is to make a moral statement of where our institutions need to strive to be when it comes to these issues — and change of this nature doesn’t come about overnight.”

Jacobs, who authored the *teshuvah*, said she thought that there was more enthusiasm for the Magen Tzedek program than for the living wage *teshuvah* because the Magen Tzedek has focused on companies outside the Conservative fold, rather than on institutions closer to home.

“It’s always easier to look slightly outside yourself rather than to look inside,” Jacobs said. “There certainly hasn’t been any large-scale change.”

Part of the reason for the slow implementation of the living wage *teshuvah* is significant opposition to it from inside the Conservative movement. When it was moving through the Committee on Law and Standards, it was voted down a number of times — and it passed only after it was worded so as not to be binding.

Rabbi Paul Plotkin was one of the committee members who opposed the *teshuvah*. Plotkin, who is also a Conservative authority on kosher food preparation, said that even before the recent financial crisis, many synagogues have been struggling to pay the bills. Plotkin, who is spiritual leader of Temple Beth Am in Broward County, Florida, said his own congregation does not provide its employees with health insurance, and thus would probably not qualify for a Magen Tzedek. He also noted that a number of his employees have second jobs to support their families. But Plotkin said that forcing synagogues to pay higher wages would serve only to hurt the work that Conservative institutions do.

“If applying some of these ideas means significantly raising the cost of the overhead, what we will actually be doing is expediting the self-annihilation of Jewish institutions,” said Plotkin.

More philosophically, Plotkin said he believes that the free market does a good job of determining what a given employee should make. Plotkin said that the long tenure of his employees suggests to him that the temple is providing for them adequately.

“You don’t have to work here,” Plotkin said. “You can work anywhere. We are offering whatever we can afford to keep our staff in the current marketplace.”

In Philadelphia, Rabbi Leonard Gordon said that his synagogue was forced to contend with the issue when the Philadelphia City Council was voting on a living-wage ordinance. When the synagogue board began talking about the ordinance, board members realized that they were not paying their janitors and their pre-school teachers a living wage. (Many synagogues said pre-school teachers tend to be the lowest paid-employees.) Gordon, though, said that his synagogue board did not feel that it could immediately jump to a living wage.

“Even though we feel strongly about it, we recognize that the sacrifices of moving immediately to where we wanted to be would have required other changes in the system that would have been draconian,” Gordon said.

Gordon’s synagogue, the Germantown Jewish Centre, began by increasing its contribution to the health insurance of its low-wage employees. He said he would advocate that the rest of the movement take a similarly slow approach, so as not to anger people with a more free-market perspective on labor relations.

“When you do it without a plan, and from a place of moral absolutism, it freaks out the people who are more fiscally conservative — and you end up with less productive discussion,” Gordon said.

Siegel, in Chicago, said he has come up against board members at Anshe Emet who are “wondering why we are pushing this so hard.” He believes that “part of the job of the rabbi is to do the education.” But at the end of the day, he said, opposition to these measures should not win out.

“It doesn’t have to be popular — but if it’s right, we have to do it,” he said.

One synagogue that did systematically decide to pay a living wage is Adat Shalom, a Reconstructionist congregation in Bethesda, Md. The rabbi at Adat Shalom, Fred Scherlinder Dobb, raised the issue in 2001 — eight years before Jacobs’ *teshuvah* passed — when the Washington, D.C., City Council passed a living wage ordinance. Scherlinder Dobb faced opposition from the congregation president at the time, Judith Gelman, who is an economist.

“As an economist I thought it would break the bank,” Gelman said, looking back.

Scherlinder Dobb did not give up. His board calculated that paying two janitors a living wage would cost \$8,000 extra a year — 1% of their annual budget, or \$35 per member each year. For the janitors at the time, this meant \$10.20 an hour with health insurance, or \$11.80 without. The congregation ultimately reached this standard by raising more revenue and reshuffling its budget priorities.

The executive director at Adat Shalom, Sheila Feldman, said that she tried to promote what Adat Shalom had done at meetings of executive directors from synagogues across the Washington area — but she always heard that the other synagogues could not afford it.

“Believe me, my synagogue was in no better shape than theirs,” Feldman said.

One person who was eventually convinced was Gelman, the economist and executive director. She said she was surprised by the benefits that the move brought to the synagogue — most of all the quality of the employees who were attracted, and the lack of employee turnover. She also heard from one janitor who went to a doctor as soon as he got health insurance, and ended up catching a life-threatening illness early.

“To this day,” Gelman wrote in an essay about her experience, “he says that the congregation saved his life.”

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