

Question: The Bais HaVaad recently released guidelines about unemployment for morahs who run playgroups for children that were cancelled over the past few months due to Covid-19. According to the guidelines, if the morah is likely to be eligible for unemployment benefits, the parents should wait before paying to see how much she receives. The problem is that it may take a while to receive unemployment. What if she needs the money now? Why should she have to wait for this?

Answer: If the obligation of the parents to pay were in fact an absolute halachic requirement, then it is possible that the parents might be obligated to pay her before her unemployment rights are clarified.

However, since the parents' obligation to pay in such cases is subject to dispute and therefore remains in the realm of a recommended peshara (compromise), the dayanim felt that they cannot recommend that the parents pay where there is a good chance that unemployment benefits will be received. Nevertheless, if a parent is able to make a conditional payment at this time, it would certainly be commendable.

Question: What is the halacha if the morah is providing an alternative service during this time, such as teleconferences or video-conferences for the children? Must the parents pay for these services?

Answer: This payment would be for a separate service and would therefore be obligatory, irrespective of her unemployment benefits. Such a service, though, may reduce the morah's unemployment benefits amount. In addition, it is difficult to determine the precise dollar amount for such services in this forum.

Question: What happens if a morahs unemployment benefits amount to less than the regular tuition that she receives? Is it still recommended for the parents to make a peshara in this case, at least on the difference between the amount of unemployment and the amount of regular tuition?

Answer: It is first important to note that many morahs will actually receive more money from unemployment than they would from regular tuition as a result of the CARES Act .

If that is not the case, then this is related to what was discussed above. If the parents' obligation to pay were a bona fide halachic requirement, then the peshara payment would indeed be relevant to the difference. However, since this payment is only a recommendation, the dayanim felt that as long as the unemployment sum is not less than recommended payment, the parents could not be recommended to make any further payment.

Question: What if the morah will lose out on other government programs because of her receipt of the unemployment benefits?

Answer: In this case, we would subtract this loss from the amount the morah receives in unemployment benefits and the morah would be considered as having received the difference.