

Paying Advance Wages Before Month End Is Not Obligatory

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What do the scholars say about the following matter: In my company, several employees work, and I pay them monthly salaries. At the time of hiring, they are informed that they will first complete the month, and then they will be given the salary. However, some employees, due to their needs, request part of their salary in advance before the month is completed. Sometimes I fulfill their request, but at other times, I am unable to do so. If I do not fulfill their request, will I be sinful and held accountable for violating their rights?

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In the described scenario, if it is agreed at the time of hiring that the employee will first complete the entire month and then receive the salary, and the same will happen every month, then paying the salary upon the completion of the month is obligatory. It is not obligatory to pay the salary or any part of it in advance, and by not paying it in advance, you will not be sinful. However, the employee's request for an advance salary is a form of loan. Helping someone in need by providing a loan is a good act of virtue. If it is possible, you should consider doing so, but it is not obligatory.

If the payment of wages is determined for a specific time, such as monthly, then they must be paid at that specified time. As stated in Majallatul-Ahkam-il-Adliyah:

”إن كانت الأجرة موقته بوقت معين كالشهرية أو السنوية مثلاً يلزم إيفائها عند انقضاء ذلك الوقت“

Translation: If the wages are fixed for a specific time, such as monthly or yearly, then they must be paid upon the completion of that time.

(Majallat-ul-Ahkam al-Adliyah, page 90, Karachi)

Under this, it is mentioned in Durar-ul-Hukkam, Sharh Majallat-ul-Ahkam:

”أي إذا كانت الإجارة غير مطلقة بل كانت الأجرة موقته بوقت معين كالسنوية والشهرية مثلاً لزم أداؤها إلى الأجر عند انقضاء ذلك الوقت، ولا يطالب قبل ذلك“

Translation: This ruling applies when the contract is not open-ended but rather the wage is fixed for a specific time, such as annually or monthly. In this case, it becomes obligatory to pay the wage after the completion of that time, and it cannot be demanded before that.

(Durar al-Hukkam, Sharh Majallat al-Ahkam, Vol. 1, page 461, published in Beirut)

والله اعلم عز وجل ورسوله اعلم صلى الله تعالى عليه وآله وسلم

Written by

Abu Muhammad Mufti Ali Asghar Attari Madani

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Translated by Maulana Abdul Wajid Madani