



Downsizing With a Jewish Soul

Jacob Ner David

Conducting my corporate business as a Jew is a challenge because so much in my surrounding culture artificially separates the business persona from personal life. To wrestle as a Jew with choices in business, given our three thousand years of moral guidance, is not easy. While I grew up in the Orthodox world of New York, I have seen this fictitious dichotomy in all segments of the Jewish community, both in the Diaspora and in Israel, where I now live.

Five years ago, I could speak harshly about those who were “fakers” — who stole, cheated, and lied in business, and then turned around and acted very pious in their social lives. It was easy for me then, because I didn’t have a business, and didn’t face these challenges on a day-to-day basis.

Today, I directly or indirectly control several businesses, employing over 200 people. Recently, I have had the unfortunate experience of needing to downsize a few of our companies. The most difficult aspect is telling an employee — someone with a family and economic needs — that they no longer have a job.

What do Jewish business ethics recommend? I think 99% of Jewish business people have no idea. Although I have twelve years of day school education under my belt, I had no immediate knowledge of how to address this situation. I decided to base my decision on the knowledge and values that guide my day-to-day life.

I racked my brain trying to balance two Jewish principles: First, the axiomatic concept of *tzedaka* as a core way of life; Second, Rambam’s statement that helping a person become self-sufficient is the highest form of personal *tzedaka*. When approached by someone on the street asking for money, do I simply dig into my pocket for change? Or, do I take the time to see how to better this unfortunate soul’s life. Most of us hand over the loose change, if anything, and then quickly move on. Facing an employee, a person I know, is more difficult.

Do I keep the person employed a little longer (the loose change) or do I try to change his or her performance, or find a different employment situation, one that might be more appropriate for the individual’s skills?

Adding to the mix, in a corporate setting, are the rights and privileges of the company. Under corporate law in most developed countries, there is a concept of fiduciary duty to the corporation — the corporation itself is considered an

entity with rights. And, even under the Jewish system of *tzedaka*, we are not obliged to give away all of our property. Rather, we are guided by a complex set of restrictions.

I was faced with the competing needs of the company, the individual, and finally the seemingly conflicting values of *tzedaka* in our tradition. The need of the individual, the employee, is clear. The employee does not want to lose his or her

job, often a means of putting food on the table. The corporation, however, cannot succeed if it acts as a social welfare agency, a soup kitchen for employees not pulling their weight. As the corporate head, with obligations to the company and to the individual, how do I respond to these conflicting needs?

My decision many years ago was to draw red lines. My obligation to the company is important, but the employee’s dignity and needs must not be ignored. The corporate efficiency might suffer at times, because I keep people employed a little longer than the strictly utilitarian CEO does. But the company’s investors and employees know that there are values more important to me than profit and loss, values which, I believe, strengthen the company.

I decided that the only way to act as a business person, motivated by Jewish ethics and values, is to help an unsuccessful employee correct him or herself. Based on Rambam’s vision of the highest level of *tzedaka*, I feel an obligation to inform my employees of any problems with performance, and address

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directly and honestly their future employment.

We have obligations of *ben-adam-l'chavero* that supersede corporate obligations: looking beyond the spreadsheets to recognize the humanity of our employees. If we simply followed the Harvard Business School model, employees who no longer provide useful service to the corporate entity would be deleted from the Excel spreadsheet, with severance when necessary.

Recently, I met with an employee whose contract I was terminating. I had taken over the company a year earlier, and as part of our strategy, we were "downsizing" certain departments. Here was an individual who, after sixteen years, was being told "this is no longer your home." The employee in this case was nearing fifty, with a family and no easily transferable skills. I explained to him that I, and everyone else in my group, would try to find him another job, but that I could not justify keeping him in his current position.

As an executive of the company, I had decided that "feeling bad" was not a reason to keep an employee on

the payroll. Eventually "feeling bad" about other people will lead us to feel bad about ourselves (i.e. bankruptcy). Running a business within an ethically Jewish environment is a constant challenge, but one I hope to meet.

I try to find the "sacred" in all aspects of my work, especially because our base of operations is in Jerusalem, the headquarters of sacred in Jewish life. We hold daily *minyanim*, the kitchens are kosher and obviously we are closed for all Jewish holidays. Jewish ethics do not demand that as business-people we sacrifice our own "*parnasa*." I believe that Judaism tells us to do for others what we would like done for ourselves. We do not run a business as an outright "charity," but carry out true *tzedaka*, striving to maintain a healthy business while constantly keeping in mind that someday we could be on the receiving end of a pink slip.

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When Life Support Doesn't Support Life

Mark Zeltser

People of earlier generations were more fortunate in a way, because they didn't have to deal with certain problems that today pose very difficult moral questions. In good times, old parents would choose one of their children to become the guardian of their old age and then move to this child's house where they would be treated, usually, with the greatest respect and honor.

And when the time to die came, the whole family would gather in the room of the dying person. Remember the joke: "The dying father is asking: Who is left to manage the store?" Times are changing. Now a child in New Jersey receives a phone call from a hospital in Florida, informing him or her that their mother is close to death.

In one way, I was more lucky than some children of elderly parents, since I lived in the same city as my mother and I was able to visit her every week. But I could not avoid the telephone call. And it was not easy for me. The call from the hospital came as a shock. My mom had just begun to recover from a very bad hip injury. For six months she had struggled to get

back on her feet. She fell again, which caused a stroke, two more broken bones and a future of living entirely on life support.

Two rather unsympathetic doctors spoke to me. The words "life support," "she would die tomorrow," "it is your choice" were pounding in my brain, each word heavy as lead. "Life support" – but what kind of life to support?

A few years before her fall, my mother and I spoke about her living will. She was scared of living her final years in a "nursing home." My mom used to live in Borough Park, Brooklyn, a two-minute walk from the Maimonides Geriatric Center. Often we would stroll along the center's grounds and see some of the patients in wheelchairs. Our conversation would turn to issues of life and death. Although my mother came from a rabbi's family, life under Communism in the Soviet Union distanced her from religion and God. But in these talks she would say: "God has given us life and He should have mercy and take His gift from us when we become shadows of human beings."