

201382 - Rights of a female servant over her employers

the question

We have employed a female servant at home only to work for the day and take care of it as there's no one at home during day time, in the evening she goes back to her home. She is paid her wages in full and we give her the same food as we eat. Apart from this, she's is also facilitated in many other things. What I need to know is- does she have some other rights upon us that are not known to us? She is married and her husband is a driver. Do we have to provide her with other things like clothing and the needs of household although she and her husband can themselves take care of these things? Also does she have the right to eat or drink or to do any other activity in our house without taking permission?

Detailed answer

Firstly:

Islam encourages kindness to slaves and servants, by teaching that the head of the household should give his servant a share of his food and drink, especially if this servant is the one who makes that food or brings it to his master, and he looks at the food. al-Bukhaari (5460) and Muslim (1663) narrated from Abu Hurayrah that the Prophet (blessings and peace of Allah be upon him) said: "When the servant of any one of you brings his food to him, if he does not make him sit with him, then let him give him a morsel or two, or a mouthful or two, for he has endured its heat and preparation."

An-Nawawi (may Allah have mercy on him) said:

This hadeeth encourages good conduct and generosity with regard to food, especially with regard to the one who made it or served it, because he is the one who endured its heat and smoke, and felt like eating from it, and smelled its aroma. All of this is understood as meaning that it is *mustahabb* (encouraged). End quote.

Al-Haafiz (may Allah have mercy on him) said:

There is nothing in the command mentioned in the hadeeth of Abu Dharr (“Feed them as you feed yourselves”??) to suggest that it is obligatory to eat with one’s servant; rather it indicates that he should not exclude him and keep it all for himself; rather he should give him a share of everything, but that is to the extent that will ward off resentment and jealousy (evil eye) on his part. Ibn al-Mundhir narrated from all the scholars that what is required is to give one’s servant the usual staple food that people like him in that country eat. The same may be said regarding bedding and clothing. The master may keep for himself that which is more valuable, although it is better to give the servant a share in that too. And Allah knows best. End quote.

Secondly:

Pardoning and overlooking ordinary mistakes made by servants comes under the heading of good manners. Allah has commanded His slaves to be kind, as He says (interpretation of the meaning): “and do good. Truly, Allah loves Al-Muhsinoon (the good-doers)” [al-Baqarah 2:195].

Abu Dawood (5164) narrated that ‘Abdullah ibn ‘Umar said: A man came to the Prophet (blessings and peace of Allah be upon him) and said: O Messenger of Allah, how often should I forgive a servant? And he remained silent, then he repeated the words and he remained silent. The third time he said: “Forgive him seventy times each day.”

According to another version: A man came to the Messenger of Allah (blessings and peace of Allah be upon him) and said: O Messenger of Allah, I have a servant who behaves badly and does wrong, should I beat him? He said: “Forgive him seventy times each day.”

Narrated by Ahmad (5635); classed as saheeh by al-Albaani.

Part of the kindness that is recommended is what you are doing of providing her with some household needs. This is not basically obligatory upon you, but if you do something of that nature out of kindness and generosity, then this is a voluntary good deed on your part, in sha Allah.

Thirdly:

The servant should not do any activities that are out of the ordinary in her employer's house except with his permission, and she does not have the right to dispose of household items or furniture, or rearrange the furniture, except with his permission.

And she does not have the right to take away or give away any household items if it is not customary among the people to give such things, or if the head of the household has not given permission to do that. If she does that, then she has betrayed the trust given to her by the head of the household.

Moreover, she does not have any established rights over you additional to what has been stipulated in her contract or to what is well established according to custom. In such cases, what is established according to custom is like that which is stipulated as a condition.

For more information, please see the answer to question no. [20869](#)

And Allah knows best.