155378 - Is the fact that the boss refuses to give the employee time off for Hajj regarded as an excuse that allows him to delay Hajj?

the question

During the Hajj period, we are under pressure at work and the boss does not allow me to travel. If I go without his consent, it is most likely that I will lose my job. Does this count as an excuse for delaying the obligatory Hajj until Allah makes it easy for me, which I do not think will be far off, in sha Allah?

Detailed answer

Praise be to Allah.

The correct scholarly view is that Hajj is obligatory straightaway for the one who is able to do it, and it is not permissible for him to delay fulfilling this important pillar of Islam. We have explained this in the answer to question no. 41702.

A Muslim may be able to afford the expenses of travel, and the route may be safe, but he is prevented by other impediments from going for Hajj. In such cases he is undoubtedly excused, such as if he has a wife who is sick or a father who is dying, or if the state restricts the numbers of people who can do Hajj, and he cannot go because his name is not drawn in the lottery, or because he is not of the specified age group, and other legitimate reasons that allow delaying Hajj in the case of one who can afford the travel expenses and for whom the route is safe.

Based on that, those who have these excuses come under the heading of those who are not able to perform Hajj.

What appears to us to be the case is that the fact that an employee, in either the public or private sector, is not given time off to go for Hajj does count as an excuse for that employee, and he does not have to leave his job – if it is permissible. But he should ask permission every year to go for Hajj, and try his hardest to perform Hajj, even if that means taking unpaid leave, if that will not

affect his spending on his family.

The scholars of the Standing Committee were asked:

I want to do ‘umrah in Ramadan and connect it to Hajj tamattu‘ [by exiting ihram after ‘umrah and entering ihram again for Hajj]. What do I have to do until the time for Hajj comes? I am working and I cannot be absent from work except during leave for Hajj and leave for ‘umrah in Ramadan. Is it permissible to travel from one area to another?

They replied:

Firstly: ‘umrah during Ramadan was encouraged by the Prophet (blessings and peace of Allah be upon him), but it is not an ‘umrah that can be connected to Hajj tamattu‘; rather that which may be connected to Hajj tamattu‘ is ‘umrah that is performed during the months of Hajj, which are Shawwaal, Dhu’l-Qa‘dah and the first ten days of Dhu’l-Hijjah, then one should do Hajj in the same year.

Secondly: if the situation is as described, that you cannot leave work for Hajj or ‘umrah, then it is not permissible for you to leave work except with the permission of your boss.

Shaykh ‘Abd al-‘Azeez ibn Baaz, Shaykh ‘Abd ar-Razzaaq ‘Afeefi, Shaykh ‘Abdullah ibn Ghadyaan, Shaykh ‘Abdullah ibn Qa‘ood

Fataawa al-Lajnah ad-Daa’imah (11/163, 164)

Shaykh Muhammad ibn Saalih al-‘Uthaymeen (may Allah have mercy on him) said:

If a man cannot do Hajj because of his work, then there is no blame on him, because he is not able to do it. But I often hear that brothers in the army or others go to Makkah as part of their job, then when the time for Hajj comes, they are given permission to do Hajj. So if they give you permission, then do Hajj and there is nothing wrong with that, but if they do not give you permission, then you are not able to do it, and you do not have to do Hajj.

Liqa’ al-Baab al-Maftooh (92/question no. 8)

Shaykh Ibn ‘Uthaymeen (may Allah have mercy on him) was asked:

I have only come to this land for the sake of doing Hajj, but I am afraid that the person for whom I am working will not give me permission to do this obligatory duty. I am now in Saudi and not far away from the places of the Hajj rituals. I hope that Allah will guide my sponsor and that he will agree to me doing Hajj, but if he does not agree to that, will I have fulfilled the obligation by virtue of my intention, or not? Because the Prophet (blessings and peace of Allah be upon him) said: “Actions are but by intentions, and each man will have but that which he intended.” Does this come under the heading of doing what one is able to do? I hope that you can clarify and urge sponsors to allow those who are with them to perform the pilgrimage to the Sacred House of Allah.

He (may Allah have mercy on him) replied:

We wish that Allah, may He be glorified and exalted, will guide all sponsors and that they will allow their brothers who are working for them to perform the obligatory Hajj, because this comes under the heading of cooperating in righteousness and piety, which Allah has enjoined, as He, may He be exalted, says (interpretation of the meaning):

“Help you one another in AlBirr and AtTaqwa (virtue, righteousness and piety); but do not help one another in sin and transgression. And fear Allah. Verily, Allah is Severe in punishment”

[al-Maa’idah 5:2].

Moreover, this may be a means of attaining barakah in their work and provision, because during these ten days if work ceases, Allah may send down barakah upon the rest of their work, which may result in a great deal of goodness, and if this happens, that is what one wants. This is what we hope for from our sponsor brothers.

But if that is not possible, then this worker is not regarded as being able to do Hajj, so the obligation is waived in his case, because Allah, may He be exalted, says (interpretation of the meaning): “for anyone who is able to undertake it” [Aal ‘Imraan 3:97], but in this case he is not able to undertake it.

With regard to the questioner asking whether he will be like the one who did Hajj, the answer is no; but Hajj is waived in his case until he is able to do it, and if he dies before he is able to do Hajj, then he will not have died in a state of disobedience towards Allah, because Hajj is not obligatory unless one is able to do it. End quote.

Majmoo‘ Fataawa ash-Shaykh Ibn ‘Uthaymeen (21/62).

And Allah knows best.