



WORK RESPONSIBILITIES AND DISPUTE RESOLUTION

*Hiring and Firing, Cancelling and Quitting,
When is it allowed and who is liable for ensuing losses?*

SUGYA PREVIEW

סוגיא דכלה: שכירות פועלים

Employee/Employer backing out of an agreement

- When is an employer prevented from firing his employee? Is there any time that an employee can't quit? Are there any financial repercussions when firing or quitting?
- How does halacha define an employee? What are the fundamental differences between employees, i.e. contractors, day laborers, craftsmen? How are they treated differently in halacha?

- I just accepted a position in a small firm, and soon after received a more lucrative offer from another company. Can I change my mind and back out? Does it make a difference if I already signed on the dotted line?
- I recently agreed to hire an employee. I now want to give the position to a family member that needs a job. Can I back out?
- I began a contracting job to renovate a basement. It is taking too much of my time and I would like to quit the job in middle. Am I obligated to finish the job?

Responsibility for loss of wages incurred through firing or cancelling

- If you cancel an appointment or reservation without giving prior notice, do you have to pay regardless?
- Can an employee who was fired in middle of the job demand the full agreed-upon payment, even though the job was only partially completed? Especially if he already blocked off and reserved those days for this job? Does it make a difference why he's being fired?
- Can a job candidate, who did not receive the job he was guaranteed, demand full pay, since he had other options that he didn't pursue (based on the promised job)?

- I hired a foreman for a year to oversee a real estate project. After a few months I realized that I don't need him. Can I let him go, or am I obligated to keep him until he finds another job?
- I called a car service but then found another ride. He is already on the way to pick me up. Do I need to compensate him for his time if I cancel?
- I accepted a consulting job which the client then canceled. I gave up other jobs in the interim. Can I charge them for my loss?
- I want to pull my child out of playgroup in middle of the year – how much am I responsible for? Does the reason I'm pulling out make a difference?

Responsibility for damages caused by one party canceling

- Can I force an employee who quits without prior notice, to compensate me for the loss incurred by his quitting? Can I demand the reimbursement of the added expense incurred due to hiring a new employee on short notice?
- If an employee quitting will cause his employer serious financial loss, does that halachically prevent him from quitting? Are losses which are not strictly financial also considered a loss?

- A photographer backed out before a wedding and the replacement was \$1000 more expensive. Can I charge him the extra money?
- A driver backed out right before an important flight and I missed my flight. Is the driver obligated to pay the difference in price for my new flight?
- I agreed to cater a dinner but can't do it due to a scheduling conflict. Am I allowed to back out, even though it will cause the organization a financial loss?

For more information please call: 732-367-1060 Ext. 4215
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48 hours. *Lifetime impact*

שבתי בבית השם לחזות בנעם ד' ולבקר בהיכלו