

If an Employee Causes an Employer a Loss by Quitting, is He Liable?

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Question: An accountant works for a small accounting firm and his boss relies on him greatly during the busy tax season. This year, he quit at the height of the season and his boss won't be able to find a replacement. Is he liable to pay for losses he will cause?

Answer: While an employee usually has the right to quit, that is only true if he is not causing a loss to his employer. In this case, the businesses will definitely suffer a loss and will lose clients if the worker quits at this time; therefore, he is not permitted to quit.

If he does quit, the question of whether he is liable to pay for the loss he caused is a *machlokes* amongst the Poskim. One opinion holds that if he causes a loss, he is liable to pay for it, while another opinion says that even though he is not allowed to leave, if he does so he is not directly liable to pay compensation. [He would likely be liable in the eyes of Heaven as a *grama*, indirect causation of damage.]