

May a Ba'al Koreh Back Out of His Commitment to a Shul?

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Question: A shul hired a *ba'al koreh* to *lein* the Parshah every week. After a few weeks, he regrets taking the job and wants to give it up. Does he have a right to renege on his commitment?

Answer: The halacha is that a "*po'el*", a worker who is paid by the hour, has a right to quit at any time. This is learned from the verse that states that we are only slaves to Hashem, and not to any man. If the hourly worker would be forced to continue working at the whim of his employer, whether he wants to or not, he would be akin to a slave; therefore, he is permitted to leave the job whenever he chooses to do so.

It is interesting to note that even in common law an hourly worker is allowed to quit at any time because of a concept called "involuntary servitude". This concept is clearly taken straight out of the Gemara!

However, a "*kablan*", a worker who is paid for a completed job, does not have this right. Since he is allowed to make his own hours and work on his own schedule, he is not comparable to a slave; therefore, if he commits to completing a job, he is not permitted to back out in the middle without consequences.

If this *ba'al koreh* is paid to *lein* for an entire year, it would seem that he is not an hourly worker, and is not comparable to a *po'el*. On the other hand, he also cannot make his own schedule, as he is obligated to work at certain times - i.e., at the time of Kriyas Hatorah every week. In this way, he is not fully comparable to a *kablan* either. Thus, he is actually an interesting combination of both a *po'el* and a *kablan*, and is not completely similar to either one.

Because of the similarities to a *po'el*, some Poskim are of the opinion that he does have the right to quit at his discretion, and the general ruling is that he may leave the job in the middle of the year.

Question: What if this *ba'al koreh* has the additional job of teaching bar mitzvah boys, and is in the middle of preparing a boy's Parshah with him when he wants to quit?

Answer: Usually a bar mitzvah teacher is paid by the hour, which would mean that he is comparable to a *po'el*; however, if he has the freedom to make his own schedule and teach the boy whenever he wants, the Chachmas Shlomo rules that he may be considered a *kablan* and would not be permitted to renege on his commitment.

Dedicated

לזכות יוחנן רפאל בן שרה פייגא