

## May a Volunteer Chazzan Back Out At The Last Minute?

### **Rav Eliezer Cohen**

**Question:** A member of a shul serves as the *chazzan* on the *Yomim Noraim* on a volunteer basis. One year, he informs the *gabbai* on *Erev Rosh Hashanah* that he has decided that he will be going to his parents for *Yom Tov* and will not be able to fulfill his duties. Is he permitted to do this?

**Answer:** Although a *po'el*, an hourly worker, may quit in the middle of a job, he is not allowed to do so if he would be causing his employer a loss by quitting. The *Poskim* discuss whether a volunteer has the same status as *po'el* in this regard or not.

The *Rama* rules that a volunteer has the right to back out at any time, even if he will be causing a loss by doing so. The *Shach* disagrees. He says that the volunteer has the right to demand payment, but he cannot simply leave his position if he will be causing a loss.

The *Chazon Ish* says that the *halacha* is like the *Shach*; therefore, this man would have the right to ask to be paid the standard salary of a *chazzan*, but he may not walk away from the job.

**Question:** What if the shul is able to find a replacement *chazzan*, but they would have to pay him a high salary, would the volunteer *chazzan* be obligated to cover the cost?

**Answer:** No. Since they would have to get money from the *chazzan*, he is the *muchzak*, and they would have to prove that he is obligated to pay. He could claim that he holds that the *halacha* is like the *Rama*, which would exempt him from paying, and since he has the upper hand, they would be unable to force him to pay.

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