

May I Back Out on a Tailor While He is in The Middle of Fixing My Suit?

**By Rav Eliezer Cohen**

**Question:** My suit was getting old and needed some alterations, and I brought it to a tailor to be fixed. Meanwhile, my wife decided that it was time to buy a new suit. I acquiesced and purchased one. I now no longer have any need for the suit that the tailor was working on. Do I have to go back and pick it up?

**Answer:** The short answer is that you definitely have to go pick up the suit and pay for the alterations.

This is equivalent to an employer firing an employee in the middle of a job. The halacha states that an employer may not terminate an employee in the middle of a job, and if he does, he must pay his salary for the entire job. The only exception would be if the employee finds another job, in which case the employer would be off the hook. While the worker may still have "*ta'aramus*", grievances, as we discussed in a previous *shiur*, since he does have a new job which he is being paid for, he cannot demand payment from his old employer as well.

The Nesivos Hamishpat says that this halacha does not apply to a "*kablan*", a worker who is paid per job, rather than by the hour. Such a worker usually takes all jobs that come his way, and may accept numerous jobs at one time. For example, a plumber may be contacted by multiple people at any given time to do work in their houses, and he may decide to take all the jobs.

As the Nesivos explains, an hourly worker only has one employer at a time; therefore, an employer will be exempt from paying if the worker finds a new job. A *kablan*, however, usually has multiple jobs at once; therefore, the fact that he has another tailoring job to do will not exempt someone who backs out on him from paying, as he would have had more than one job in any case. Having said this, we can rule that even if the tailor has other customers, you still are not exempt from paying him for altering your suit. The Poskim say that there is one way to exempt oneself from paying a *kablan*. If one brings the *kablan* a customer that he otherwise would never have gotten, he would not have to pay for his own work. In our story, if someone would find a friend who needs alterations done on a suit, and convinces that friend to use this particular tailor whom he had no previous intentions of using, he would be exempt from paying for the work he no longer wants, since he brought the tailor a customer he would never have had if not for him. Otherwise, he would have to pay in full.

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