

Contractor doctor: did I breach the contract by leaving early?

Dear Contractor Doctor,

A year ago, I left a contract giving 1 week's notice. My contract with the agency stated that my notice period was "N/A". From my understanding the term was ambiguous in a business sense and did not stipulate either that I couldn't give notice or that I didn't have notice to give.

The agency is still withholding my last payment saying that I am in breach of contract and can be sued if I persist. Can you shed light on this type of notice and on what it actually means?

Thanks,

Chris

Contractor Doctor says:

It is not unusual for contractor agreements to lock contractors in without possibility of termination. According to the Hove-based legal consultancy [Lawspeed](#), it is entirely standard in the contracting industry for contractors to be locked in to a short-term contract without the right of termination.

Why should contractors not be able to terminate? Because they have signed on as guaranteeing the completion of a specific project, so they can hardly decide that they no longer wish to finish it.

The use of the abbreviation 'N/A' in your contract is less typical, but it clearly means 'not applicable,' which simply means that you had no right to terminate.

If you had intended to include the right to terminate in the contract, you should have negotiated a clearly defined termination clause. You would then have been able to invoke it when you wanted to leave.

We wish that the news were better, but under the circumstances, you have no apparent right to your final payment. Indeed, you breached the contract by leaving and you could be liable for damages. Best to leave this one alone and to move on.

Good luck with your future contracts.

Contractor Doctor

Published: Thursday, September 27, 2007

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