Reneging on a Job Offer Acceptance (Backing out)

There is a difference between what is ethically acceptable and what is legally acceptable.

**Ethically speaking**, once you accept a job offer, you should remain loyal to that commitment, even if a better offer comes along. You made a good faith agreement with your employer to accept the position and this needs to be honored.

Certainly, there may be unexpected circumstances that make this impossible (family and personal issues, illnesses, an unexpected move), but even in these cases, you owe it to your future employer to be timely and honest in withdrawing your acceptance. Receiving a better offer is not an ethically acceptable reason to renege on your acceptance.

Once you begin your job, another offer very well may come along. In this case, you need to carefully weigh the pros and cons of resigning from your current job. Even if you are not happy in your job, a good rule of thumb is that you can do anything for a year. Sticking the job out looks better on your resume, and certainly leaves your employer with a more favorable impression of you (let’s not forget those references!).

If you decide to renege on your acceptance (back out after accepting) to accept a different offer, there may be consequences. The obvious repercussions of your decision are the fact that you have more than likely “burned a bridge” with that company and with the individuals who were your contacts at that company (remember that these individuals may one day work at a different company in which you may be interested). A less obvious result of your decision is the possibility that you develop a reputation within the field. Within any employment field, there are networks and communities of professionals. These colleagues will interact during professional association meetings, conferences, professional development seminars, business deals, etc., and they may talk about their experiences with you. Finally, if you work for a company for a short period of time and then resign, don’t count on using that employer for a reference.

**Legally speaking**, Virginia follows an “employment-at-will” doctrine, which means that an employer can discharge an employee at any time for any reason, as long as it is not illegal (e.g., discrimination). It also means that a candidate can accept a job offer for an unspecified period of time and resign from the position at any time for any reason. To date, the courts have not required any employer to hire a person after revoking a job offer, nor has an employer successfully sued a job candidate for revoking his or her acceptance of a job offer.

It is also important for you to know that there is nothing in the law that requires an employer to keep a job offer open for any specified time period. However, the practice of “forcing” a decision to be made under unrealistic time constraints (within 24 to 48 hours) is considered unethical.