Boris was a physician on the staff of a city hospital. He was an at-will employee. He was a recent immigrant from an East European country that had a healthcare system that was years behind that of the U.S. in terms of technology and equipment. Consequently, equipment that was deemed to be obsolete in Boris’s hospital was often considered to be nearly state-of-the-art in his homeland. A number of such pieces of lab equipment were targeted for disposal by his department at the hospital. Without seeking permission, Boris rented a truck and with the help of a friend, took the equipment from the hospital’s rear loading dock and, easily finding a buyer, shipped the equipment off to a healthcare facility in his homeland. When the hospital learned what Boris had done, he was fired. The hospital also called the police and filed a criminal complaint. However, when the local DA studied the police report, she determined that the equipment had been abandoned by the hospital and therefore no crime had been committed.

1. Does Boris have a claim for wrongful discharge?

2. Would your assessment change if the hospital's employee handbook stated that employees would be fired only for "good cause"?

3. Would your assessment change if Boris had done this before with advance permission, and he assumed he had standing permission to continue to do so?