

## EMPLOYMENT CEASED FOR RETIREMENT



The former fire chief for Orange City, David Rudat, has recently been found in violation of the retirement laws that have been made in the state of California due to the fact that even after retiring, he continued to work for over a year as the interim chief in Stockton. The information about such violation was provided by CalPERS officials who were able to find out about this due to the availability of public documents provided by Watchdog. Since the information was released, Rudat has since chosen to resign from the position in Stockton and his resignation will be in full effect by August 8<sup>th</sup>. He chose to resign immediately instead of having to deal with paying back \$216,000 that he earned from pension benefits while also making over \$100 an hour in the Stockton position. Rudat chose to resign after receiving a deadline to do so, otherwise he would have to pay the money back that he received from his pension benefits. An analyst for the California Public Employees Retirement System, Liz Burke, wrote a letter that was addressed to Rudat in mid-July. In the letter, she stated that Rudat could not consider himself to be an independent contractor in the Stockton position due to the specifics of the job and all the details that relate to his responsibilities while taking on such a position. Burke also pointed out that while working within the position, Rudat was wearing a uniform provided by the city and even drove a city-owned car, which surely proved he was representing a specific government agency and not working as an independent contractor. Rudat also had to work when told and could not choose to work on his own time and schedule, as independent contractors typically are able to do. Last but certainly not least, Burke pointed out that Rudat was on the payroll system. The state of California has a specific government code in which it clearly states that anyone who retires and is no longer work for the state will not be able to come back and work for a different agency that is also in the system. The only way that the individual could take on another position would be to end up going against the retirement and choosing to work again, which is something Rudat did not want to let go of. The letter clearly stated that if Rudat wanted to continue on with his retirement, he must cease employment. Rudat feels that he was not in violation of any laws, saying that when it comes down to the laws, there is a lot of gray area. Trying to find jobs for Employment law jobs? [Click here](#).

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