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## All Station/Brigade Reps – Briefing Note 01/14

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### RFU Circular Payment for RDS staff on Light/Modified/Alternative duties

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As you will be aware, employees working the Retained Duty System (RDS) are now legally deemed to be 'part-time' workers and fall under the discrimination legislation.

While this has been a huge step forward in terms of equal treatment with our Wholetime colleagues, we are still finding that Fire & Rescue Services (FRS) up and down the UK are still finding ways and means of treating RDS staff differently.

An example of this is when our members are placed on light (also known as modified or alternative) duties, a situation where a member is not fit for operational duty but is able to perform parts of the role map. Rather than continuing to be paid an average of his/her previous 12 weeks earnings, which would ensure no financial loss is incurred, FRS are choosing to pay only the basic retaining fee plus any additional activities undertaken such as drill nights and admin.

This is fine if tasks are available for the member to undertake which equate to the same level of earnings prior to any sickness but in all too many occasions this isn't happening, leaving members with reduced income through no fault of their own.

As wholetime staff who are placed on light duties do not incur any loss in fire service salary we do not expect RDS staff to either.

This matter has been challenged in West Sussex FRS by our local officials, citing discrimination as part-time workers. While the service was not quick to deal with the issue, we are pleased to announce that the challenge has been successful and Robert will be receiving the appropriate back pay. In addition we are also in the process of claiming loss of earnings for any affected members back to July 2010.

It is important that all FRS acknowledge the part-time workers legislation and its impact on our members by ensuring that RDS staff are afforded the same terms and conditions as their wholetime colleagues. While the test case back in 2008 was successful, it would appear that locally we have a fight on our hands to claim equality and that the RFU is the only organisation taking up the challenge.

If you need any assistance from RFU HQ on progressing this issue in your service please let us know.



**John Barton**  
National General Secretary