



EMPLOYMENT TRIBUNALS

Claimant: Mr S Schiavo

Respondent: Lingfield Equine Ltd

Heard at: London South **On:** 14 February 2020

Before: Employment Judge C Hyde (sitting alone)

Representation:

Claimant: In person

Respondent: Mrs R Atherton, Partner/Co-Director

JUDGMENT

The Judgment of the Tribunal is that: -

1. The name of the Respondent was amended forthwith to “Lingfield Equine Ltd” by agreement.
2. The breach of contract claim in relation to notice pay was dismissed on withdrawal.
3. In relation to the other breach of contract or unlawful deduction of wages claims, save that it was agreed that the Respondent was entitled to credit for having paid to the Claimant the sum of **£648.74 net**
 - a. It was agreed that the Respondent had unlawfully deducted the sum of **£140.13** in relation to the reimbursement of fuel expenses and the Respondent was ordered to repay that sum to the Claimant forthwith.
 - b. It was declared that the Respondent had unlawfully deducted the sum of **£1076.95 gross** in respect of accrued and outstanding holiday on termination of the employment, representing payment for 7 days leave, and the Respondent was ordered to pay that sum to the Claimant forthwith.
 - c. It was declared that the Respondent had unlawfully deducted from the Claimant’s wages, the sum of **£82.50** in respect of its

failure to reimburse RCVS membership fees in respect of April, May and June 2019.

- d. It was agreed that the Respondent was entitled to deduct from the Claimant's wages the sum of **£845.47** representing the reimbursement of 50% of the sum paid by the Respondent towards the Claimant's professional development fees.
- e. The Respondent was entitled to deduct **4 days' pay** in respect of the gardening leave in relation to a period when the Claimant accepted he was working for another vet's practice.

The parties may apply in writing to the Tribunal for further directions in the event that they are unable to agree the final sums due.

Employment Judge C Hyde
Dated: 12 March 2020