



# THE EMPLOYMENT TRIBUNALS

BETWEEN

*Claimant*

Mr Carlos Teixeira

AND

*Respondent*

M & E Restaurant Limited

## JUDGMENT OF THE EMPLOYMENT TRIBUNAL

Held at: Newcastle upon Tyne

On: 19 February 2018

Before: Employment Judge A M Buchanan

### *Appearances*

**For the Claimant:** In person

**For the Respondent:** No response entered and no attendance.

### JUDGMENT ON REMEDY

It is the judgment of the Tribunal that:

1. The claimant is entitled to a redundancy payment in the sum of £7200.00p. The respondent is ordered to pay that sum to the claimant.
2. The respondent is ordered to pay to the claimant £3461.64 damages for breach of contract (unpaid notice pay). This is an award of 12 weeks net pay to the claimant at £364.22p per week less the sum of £909.00p received by him during the notice period in respect of state benefits.
3. The respondent is ordered to pay to the claimant the sum of £1520.00p unpaid wages. This is a gross amount of £720.00p in respect of unpaid wages and the claimant shall account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt by him. This award also includes a sum of £800 being an award of two weeks' pay pursuant to section 38(3) of the Employment Act 2002. The said sum of £800 is not subject to income tax or national insurance contributions.

4. The respondent is ordered to pay to the claimant the sum of £360.00p unpaid holiday pay. This is a gross amount and the claimant shall account to the appropriate authorities for any income tax and employee national insurance contributions due in respect of such sum on receipt.

5. The total sum payable by the respondent to the claimant is £12541.64 and is payable forthwith.

6. Any claim for a reference to the Tribunal pursuant to section 11 of the Employment Rights Act 1996 in respect of terms and conditions of employment and/or a written itemised pay statement is dismissed on withdrawal by the claimant.

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**EMPLOYMENT JUDGE BUCHANAN**

**JUDGMENT SIGNED BY EMPLOYMENT  
JUDGE ON 19 February 2018**

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**NOTE:**

Reasons for the judgment having been given orally at the hearing, written reasons will not be given unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of this written record of the decision.