



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr M Miller

**Respondent:** 1. Hotel Van Dyke Ltd  
2. MH Snooker Services Ltd (in Creditors Voluntary Liquidation)  
3. Lisa Whittaker  
4. Michael Joseph Henson

**UPON** the Tribunal having served the parties with notice that the Employment Tribunal was considering a reconsideration of paragraph 1 of the judgment made on 30 August 2017 and promulgated on 22 September 2017 of its own motion and upon the Employment Tribunal having received no representations:

## JUDGMENT ON RECONSIDERATION

The Judgment of the Employment Tribunal upon reconsideration is that the Judgment promulgated on 22 September 2017 shall be varied in that paragraph 1 thereof is revoked and there shall be substituted a new paragraph 1 as follows:

‘As there was a transfer of the undertaking from the second Respondent to the first Respondent on or around first of February 2017 and as it was the first Respondent who dismissed the Claimant following transfer it follows that the second Respondent can have no liability to the Claimant for notice pay or holiday pay, all rights and liabilities having passed from the second to the first Respondent pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006.’

Employment Judge Brain

Date: 27 November 2017