



EMPLOYMENT TRIBUNALS

Claimant: Mr A Carberry

Respondent: (1) Hazel Grove DIY Centre Limited
(2) Mr Andrew Curry

HELD AT: Manchester

ON: 25 February 2022

BEFORE: Employment Judge Ficklin

REPRESENTATION:

Claimant: In person

Respondents: (1) Mr Michael Budd, director
(2) In person

JUDGMENT

The judgment of the Tribunal is that:

1. There was a relevant transfer of the Respondent company on 25 January 2021 in accordance with the TUPE Regulations, from Mr Andrew Curry to Mr Michael Budd. (But see the Case Management Orders issued at the same time as this judgment.)
2. The claim against the 2nd Respondent (2402801/2021, named as Mr Andrew Curry) is dismissed.
3. The Claimant was an employee within the meaning of the Employment Rights Act 1996 of the 1st Respondent (Hazel Grove DIY Limited) at the relevant time (25 January 2021).
4. The Tribunal did not determine whether the Claimant's employment was terminated on 25 January 2021. This will be determined at the final hearing.

Employment Judge Ficklin
25 February 2022

SENT TO THE PARTIES ON
28 March 2022

FOR THE TRIBUNAL OFFICE

Notes:

- (1) This judgment follows an in-person hearing. Neither party objected to the format of the hearing.
- (2) Reasons for the judgment were given orally at the hearing. Written reasons will not be provided unless a party makes a request in writing within 14 days of the date on which this judgment is sent to the parties. If written reasons are provided, they will be entered onto the tribunal's online register, which is visible to internet searches.