



# EMPLOYMENT TRIBUNALS

**Claimant:** Ms P Deridet  
In person

**Respondent:** Secretary of State for BEIS  
Does not appear and is not represented

**2204189/21**

**Heard on:** 7 September 2021, London Central Employment Tribunal, by CVP video platform.

**Employment Judge:** Mr D A Pearl

## JUDGMENT

The tribunal makes the following Judgment:

1 Pursuant to section 188(3) of the Employment Rights Act 1996 it is declared that the Secretary of State ought to make a payment to the Claimant under section 182 in the sum of £2,649.64, net.

## REASONS

1 The claim is for unpaid wages for October 2020. The Claimant's employer, We Are Cha Cha Ltd. is in voluntary liquidation. The Secretary of State has defended the claim.

2 The Secretary of State has an unusual case to assert, namely that the liquidator has said that no wages are owed for October, because "funds had been paid by a third party company" and that the debt is a matter between the Claimant and that company. The Respondent did not wish to attend the hearing.

3 At the hearing the Claimant readily demonstrated that rejection of her claim is misconceived. When the employer was unable to pay the wages, the landlord of the commercial premises made her a 'bridge loan' and I have seen the agreement in the form of a letter. The net wage was loaned and it was repayable by 31 March 2021 (unless extended) or on earlier payment of wages by the

employer. Therefore, the obligation to pay wages to the Claimant is left undisturbed and it is correct that a declaration should be made, as above. The short term loan to the Claimant is no impediment to a Judgment in her favour against the Secretary of State. Once she has received payment, she will be obliged to repay the loan, if that has not already occurred.

Employment Judge Pearl  
Date: 07/09/2021

JUDGMENT & RESERVED REASONS  
SENT TO THE PARTIES ON

.08/09/2021.

FOR THE TRIBUNAL OFFICE