EMPLOYMENT TRIBUNALS

Claimant: **Ms Andrea Stewart**

Respondents: **Teleperformance Ltd**

RECORD OF A PRELIMINARY HEARING

Heard at: Newcastle (in private by videolink) **On:** 30 October 2026

Before: **Employment Judge R S Drake**

Appearances
For the Claimant: In Person
For the Respondent: Ms H Kerr (Employment Relations Specialist)

JUDGMENT

1. By consent the Claimant's claims of disability discrimination and failure to afford rest breaks are dismissed on withdrawal.

2. The Claimant claim for unpaid holiday pay succeeds and by consent he is awarded Judgment in the sum of £297 which the Respondent shall pay to him forthwith.

SUMMARY REASONS

3. At the Preliminary Hearing listed for today's date the Claimant was asked to clarify his claims in this action as his pleading in his ET1 was to say the least bare and lacking detail to the extent that other than his holiday claims, the balance of his

claims risked strike out had the hearing been public. Therefore the Claimant readily agreed to withdraw the discrimination and working time claims and limited the proceedings to his alleged unpaid holiday pay entitlement.

4. The Claimant explained that his contract specified entitlement to 28 days holiday inclusive of Bank Holidays and that in the year 2025 upto the date of termination of his employment on 19 December 2025, he had accrued 27 days but been paid for only 25 of those days accrued. The Respondents explained that they thought that because three Bank Holiday days post-dated termination of employment he could only argue entitlement to 25 days. On reflection and upon consideration of the way the contract specified monthly accrual of holiday pay, they accepted that their interpretation of the contract was incorrect.

5. I explained that if the matter could not be resolved on the basis of mutual agreement, the case would have to proceed to a full hearing with all the necessary attendant cost. Accordingly the parties readily agreed to limit the Holiday Pay claim to 2 days and by mutual agreement that the sum accordingly payable by the Respondent would be limited to £297. Judgement by consent for the Claimant was given accordingly.

Employment Judge Drake

Signed 30 October 2026

Note

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

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