

Your answers suggest that you may be entitled to the agreed earnings for the entire guarantee period.

328 Employer obligations in relation to guarantee of annual earnings

Employer must comply with guarantee for period before termination

(2) If:

- (a) the employment of a high income employee is terminated before the end of the guaranteed period; and
- (b) either or both of the following apply:
 - (i) the employer terminates the employment;
 - (ii) the employee becomes a transferring employee in relation to a transfer of business from the employer to a new employer, and the guarantee of annual earnings has effect under subsection 316(2) as if it had been given to the employee by the new employer; and
- (c) the employee is covered by a modern award that is in operation at the time of the termination;

the employer must pay earnings to the employee in relation to the part of the guaranteed period before the termination at the annual rate of the guarantee of annual earnings.