

*Your responses suggest that your entitlement to redundancy pay under enterprise agreement overrides your entitlements under the National Employment Standards.*

## **Division 11—Notice of termination and redundancy pay**

### **Subdivision C—Limits on scope of this Division**

#### **123 Limits on scope of this Division**

##### *Employees not covered by this Division*

- (1) This Division does not apply to any of the following employees:

##### *Other employees not covered by redundancy pay provisions*

- (4) Subdivision B does not apply to:
- (b) an employee to whom an industry-specific redundancy scheme in a modern award applies; or
  - (c) an employee to whom a redundancy scheme in an enterprise agreement applies if:
    - (i) the scheme is an industry-specific redundancy scheme that is incorporated by reference (and as in force from time to time) into the enterprise agreement from a modern award that is in operation; and
    - (ii) the employee is covered by the industry-specific redundancy scheme in the modern award; or
- (3) If a modern award that is in operation includes such a term (the ***award term***), an enterprise agreement may:
- (a) incorporate the award term by reference (and as in force from time to time) into the enterprise agreement; and
  - (b) provide that the incorporated term covers some or all of the employees who are also covered by the award term.