

*Your responses suggest that the offer is a genuine transfer of employment.*

## **122 Transfer of employment situations that affect the obligation to pay redundancy pay**

*Employee not entitled to redundancy pay if refuses employment in certain circumstances*

- (3) An employee is not entitled to redundancy pay under section 119 in relation to the termination of his or her employment with an employer (the ***first employer***) if:
- (a) the employee rejects an offer of employment made by another employer (the ***second employer***) that:
    - (i) is on terms and conditions substantially similar to, and, considered on an overall basis, no less favourable than, the employee's terms and conditions of employment with the first employer immediately before the termination; and
    - (ii) recognises the employee's service with the first employer, for the purpose of this Subdivision; and
  - (b) had the employee accepted the offer, there would have been a transfer of employment in relation to the employee.