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# Employee's complaint for non-payment of salary-E-3, H-1B and Non H-1B

## Employee's complaint for non-payment of salary-E-3, H-1B and Non H-1B <sup>[1]</sup>

Submitted by Chief Editor on May 20th 2009

I (a software consultant) have EAD from my current employer(consulting firm). My employer holds my salary abruptly without any notice or reason. When pressed why? after the salary date passes by without getting paid, the general excuse given is "The bill is not collected from the client" , though there is no such contract between us wherein my salary is dependent on the accounts receivable/ collection. I want to know a- Can they do it legally? b- What are my options including can i sue this employer despite being on EAD?

### **ANSWER:**

Your best bet is the local State Workforce Agency for the State where you are employed. If you are not on H-1, this is the way to go. They will recover your salary. And, it does not cost you anything.

Here is the link to the SWA's for non H-1B workers

<http://www.doleta.gov/regions/reg01b...ources-SWA.cfm> <sup>[2]</sup>

H-1B and E-3 workers, go here:

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H-1B and E-3 workers, go here:

<http://www.dol.gov/esa/whd/forms/wh-4.pdf> <sup>[3]</sup>

To complain to ICE, go here:

<http://www.ice.gov/about/contact.htm> [4]

**Unless the context shows otherwise, all answers here were provided by [Rajiv](#) [5] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) [6]**

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**Links:**

[1] <https://immigration.com/faq/general-nonimmigrant-visa/employees-complaint-non-payment-salary-e-3-h-1b-and-non-h-1b>

[2] <http://www.doleta.gov/regions/reg01bos/StateResources-SWA.cfm>

[3] <http://www.dol.gov/esa/whd/forms/wh-4.pdf>

[4] <http://www.ice.gov/about/contact.htm>

[5] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[6] <http://www.immigration.com>

[7] <https://immigration.com/JavaScript%3Avoid%280%29%3B>