

CONNECTICUT APPELLATE COURT

Farias v. Rodriguez

Farias v. Rodriguez · No. AC 47710 · Decided March 31, 2026

SUMMARY

The Connecticut Appellate Court affirmed the judgment granting the defendants’ motion to strike Daniel Farias’s putative class action complaint concerning tip credits, minimum wage regulations, and recordkeeping requirements. The court held that the applicable regulations did not provide a private right of action for the alleged recordkeeping violations and that Public Act 22-134 required claims filed after September 24, 2022, to be adjudicated under the updated regulatory scheme. The court also concluded that applying the statute did not violate the plaintiff’s due process rights because he had no vested property right in the unresolved statutory cause of action.

CASE DETAILS

COURT	Connecticut Appellate Court
WRITING FOR THE COURT	Suarez, J.; Seeley, J.; Wilson, J.
JURISDICTION	Connecticut Appellate Court
DECIDED	March 31, 2026
DOCKET	AC 47710
DISPOSITION	affirmed
PROCEDURAL POSTURE	The plaintiff appealed from the judgment of the Superior Court granting the defendants' motion to strike his putative class action complaint. After the original appeal was dismissed for lack of a final judgment, the trial court rendered judgment and the plaintiff filed an amended appeal.
STANDARD OF REVIEW	Review of a ruling on a motion to strike is plenary. The court accepts as true the well-pleaded factual allegations and facts necessarily implied by them, construes the complaint in the manner most favorable to sustaining its legal sufficiency, and determines whether the allegations state a legally sufficient cause of action.
PRECEDENTIAL VALUE	published
PARTIES	Daniel Farias v. Esaul Rodriguez, Juan Carlos Rodriguez, Puerto Vallarta, LLC, Puerto Vallarta Group, LLC, Puerto Vallarta Danbury,

TOPICS

wage and hour statutory interpretation due process appellate procedure civil procedure

PRACTICE AREAS

employment law wage and hour constitutional law civil procedure

QUESTIONS PRESENTED

1. Whether General Statutes § 31-68(a) provides a private cause of action for violations of the recordkeeping requirements in former § 31-62-E3 of the Regulations of Connecticut State Agencies.
2. Whether Public Act 22-134, codified at General Statutes § 31-60(d)(4), required claims filed after September 24, 2022, to be adjudicated solely under the updated wage regulation, notwithstanding that the underlying causes of action accrued under former regulations.
3. Whether applying § 31-60(d)(4) to the plaintiff's claims violated federal or state constitutional due process because it impaired a vested property right.

HOLDINGS

1. No. A violation of the recordkeeping requirements in former § 31-62-E3 does not invalidate the tip credit and does not give rise to a private cause of action under General Statutes § 31-68(a).
2. Yes. Section 31-60(d)(4) applies prospectively to all covered claims filed after September 24, 2022, including claims that accrued before that date, and requires that they be adjudicated solely under § 31-60-2 of the current regulations and amendments thereto.
3. No. Even assuming that § 31-60(d)(4) had a retrospective effect, its application did not violate due process because the plaintiff had no vested property right in an unfiled, purely statutory cause of action.

KEY QUOTATIONS

“Section 31-60 (d) (4) did not eliminate the ability of a plaintiff to present a claim under the act; instead, it sought to ensure that, after September 24, 2022, such claims were brought pursuant to the updated regulatory scheme, which was enacted in 2019.” (at 31–32)

“The plaintiff’s interest was, instead, more in the nature of a mere expectancy or inchoate hope.” (at 39)

FACTUAL BACKGROUND

The plaintiff worked as a bartender at Puerto Vallarta restaurants from 2011 through 2022. The defendants allegedly took the full tip credit against the wages of servers and bartenders, paying them less than the full minimum wage, while requiring them to perform general restaurant work such as cleaning, stocking, brewing coffee, and filling ice bins. The plaintiff alleged that the defendants failed to maintain the required tip-credit records and failed to segregate service and nonservice duties under regulations in effect in 2015. He filed the

putative class action on December 6, 2022, after the statutory deadline established by Public Act 22-134 for claims governed by the former regulations.

PROCEDURAL HISTORY

Farias filed a putative class action in the Superior Court seeking damages for alleged violations of Connecticut minimum-wage laws and regulations governing tip credits, recordkeeping, and nonservice duties. The case was transferred to the Complex Litigation Docket, where the court granted the defendants' motion to strike and later denied reargument. The original appeal was dismissed for lack of a final judgment; after judgment was rendered, the plaintiff filed an amended appeal. The Connecticut Appellate Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Del Rio v. Amazon.com Services, Inc., 354 Conn. 151, 152, 349 A.3d 570 (2026)
- Rodriguez v. Kaiaffa, LLC, 337 Conn. 248, 259 n.11, 253 A.3d 13 (2020)
- Nettleton v. C & L Diners, LLC, 219 Conn. App. 648, 296 A.3d 173 (2023)
- Anderson v. Reel Hospitality, LLC, 233 Conn. App. 618, 342 A.3d 1095, cert. denied, 353 Conn. 926, 346 A.3d 514 (2025)
- Haworth Country Club, LLC v. United Bank, 226 Conn. App. 665, 677–78, 319 A.3d 146, cert. denied, 350 Conn. 914, 324 A.3d 791 (2024)
- In re Cole, 347 Conn. 284, 297 A.3d 151 (2023)
- Maghfour v. Waterbury, 340 Conn. 41, 262 A.3d 692 (2021)
- Landgraf v. USI Film Products, 511 U.S. 244, 280, 114 S. Ct. 1483, 128 L. Ed. 2d 229 (1994)
- Southwick at Milford Condominium Assn., Inc. v. 523 Wheelers Farm Road, Milford, LLC, 294 Conn. 311, 320, 984 A.2d 676 (2009)
- Rios v. CCMC Corp., 106 Conn. App. 810, 819, 943 A.2d 544 (2008)
- Epright v. Liberty Mutual Ins. Co., 349 Conn. 679, 692, 321 A.3d 354 (2024)
- Lostritto v. Community Action Agency of New Haven, Inc., 269 Conn. 10, 20, 848 A.2d 418 (2004)
- Pereira v. State Board of Education, 304 Conn. 1, 16, 37 A.3d 625 (2012)
- Stewart v. Tunxis Service Center, 237 Conn. 71, 78, 676 A.2d 819 (1996)
- Drumm v. Freedom of Information Commission, 348 Conn. 565, 587, 308 A.3d 993 (2024)
- Gohel v. Allstate Ins. Co., 61 Conn. App. 806, 820, 768 A.2d 950 (2001)
- Doe v. Hartford Roman Catholic Diocesan Corp., 317 Conn. 357, 405, 119 A.3d 462 (2015)
- Bhinder v. Sun Co., 263 Conn. 358, 373–74, 819 A.2d 822 (2003)
- Family Financial Services, Inc. v. Spencer, 41 Conn. App. 754, 767, 677 A.2d 479 (1996)
- Enfield Federal Savings & Loan Assn. v. Bissell, 184 Conn. 569, 573–74, 440 A.2d 220 (1981)
- Massa v. Nastri, 125 Conn. 144, 3 A.2d 839 (1939)

- *Aspetuck Valley Country Club v. Weston*, 292 Conn. 817, 834, 975 A.2d 1241 (2009)
- *Logan v. Zimmerman Brush Co.*, 455 U.S. 422, 102 S. Ct. 1148, 71 L. Ed. 2d 265 (1982)
- *Ileto v. Glock, Inc.*, 565 F.3d 1126, 1141, cert. denied, 560 U.S. 924, 130 S. Ct. 3320, 176 L. Ed. 2d 1219 (2010)
- *Doe v. Hartford Roman Catholic Diocesan Corp.*, 317 Conn. 357, 414–15, 119 A.3d 462 (2015)

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