

Third degree of kindred table

This document contains general information. It is not legal advice. Every situation is different and other laws might apply to your situation. If you have questions, contact an attorney, visit the Department of Labor and Industry website at www.dli.mn.gov/business/workers-compensation-businesses or call the Workers' Compensation Division Help Desk at 651-284-5005 (press 3) or 800-342-5354 (press 3).

This chart may be used to determine whether persons are related by blood or marriage within the third degree of kindred to an executive officer of a closely held corporation (CHC) or to a manager of a limited liability company (LLC) under Minnesota Statutes, section 176.041, subdivision 1, paragraphs (15) and (20).

Relatives of CHC executive officer's spouse or LLC manager's spouse			Relatives of CHC executive officer or LLC manager		
3rd degree by marriage	2nd degree by marriage	1st degree by marriage	1st degree	2nd degree	3rd degree
Spouse's great-grandparents and their spouses ²					Officer's or manager's great-grandparents and their spouses ²
	Spouse's grandparents and their spouses ²			Officer's or manager's grandparents and their spouses ²	
Spouse's aunts/uncles and their spouses ²		Spouse's parents and their spouses ²	Officer's or manager's parents ¹ and their spouses ²		Officer's or manager's aunts/uncles and their spouses ²
	Spouse's siblings and their spouses ²	Executive officer's or manager's spouse¹	Executive officer of CRC or LLC manager¹	Officer's or manager's siblings and their spouses ²	

Relatives of CHC executive officer's spouse or LLC manager's spouse			Relatives of CHC executive officer or LLC manager		
3rd degree by marriage	2nd degree by marriage	1st degree by marriage	1st degree	2nd degree	3rd degree
Spouse's nephews/nieces and their spouses (2)		Spouse's children¹ and their spouses²	Officer's or manager's children¹ and their spouses²		Officer's or manager's nephews/nieces and their spouses ²
	Spouse's grandchildren and their spouses (2)			Officer's or manager's grandchildren and their spouses ²	
Spouse's great- grandchildren and their spouses (2)					Officer's or manager's great- grandchildren and their spouses ²

¹The spouse, parents and children of certain executive officers* of closely held corporations and of certain managers* of limited liability companies are automatically excluded from workers' compensation coverage if they are employed by the CHC or LLC unless it elects coverage for them.* "A stepchild is a 'child' within the meaning of section 176.041" (see Minn. Stat. § 176.011, subd. 2).

²The persons identified by footnote 2 in the table are related by blood or marriage, within the third degree of kindred to certain officers* of the corporation or certain managers* of a limited liability company. These relatives are excluded from workers' compensation coverage only if a written election to exclude them is filed with the Department of Labor and Industry.

*The exclusions from coverage in both endnote 1 and 2 apply *only* if:

- the executive officer owns at least 25% of the stock in the corporation, which must have 10 or fewer shareholders and less than 22,880 hours of payroll in the previous calendar year; *and*
- the manager owns at least a 25% membership interest in the limited liability company, which must have 10 or fewer members and less than 22,880 hours of payroll in the previous calendar year.