

PUBLIC HOLIDAYS IN MICHIGAN

New Year's Day	January 1
Martin Luther King Day	Third Monday in January
Lincoln's Birthday	February 12
Washington's Birthday	Third Monday in February
Memorial or Decoration Day	Last Monday in May
Independence Day	July 4
Labor Day	First Monday in September
Columbus Day	Second Monday in October
Veterans' Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas	December 25

Holiday is a term used to designate a consecrated day, or a day of recreation or amusement and of cessation from work. *Corpus Juris Secundum*, Holidays, section 1. In Michigan, a number of public holidays have been designated by the legislature since the enactment of Act 124 of 1865. Included in this list are Saturdays from 12 noon to 12 midnight, which are designated as half holidays. The act requires that public holidays be treated the same as the first day of the week, Sunday. Until the repeal of the Sunday observation and Sunday contract statute, Revised Statutes of 1846, Title IX, ch 43, by Act 127 of 1962, activities prohibited on Sundays were also barred on public holidays. The original, primary, and continuing purpose of these public holidays, however, has been to regulate commercial transactions and the holding of courts.

Court interpretations of the public holiday statute have consistently supported this principle. These opinions have also indicated that activities which are not expressly prohibited by the act or about which the act is silent are permissible. Therefore, the act does not prohibit a local governing body from adding other, local holidays (a holiday confined to a particular jurisdiction with no impact elsewhere) to its calendar, since the statute was not intended to be an exclusive list of public holidays. *Americans United for Separation of Church and State v Kent County*, 97 Mich App 72 (1980). Holidays which are negotiated and designated as a part of a collective bargaining agreement for public employees do not violate the statute; the matter of holidays and holiday pay are mandatory subjects for collective bargaining. *Central Michigan University Faculty Association v Central Michigan University*, 404 Mich 268, 273 NW2d 21 (1978). As early as 1939, an opinion of the attorney general stated that the state hospital commission's attempts to regulate or limit the number of so-called legal holidays for its employees was permissible within the bounds of the act. The statute did not expressly prohibit physical or mental labor on days designated by the act as public holidays. Opinion of the Attorney General, 1939-1940, p 277, October 18, 1939.

If any of the designated public holidays falls on a Sunday, the next Monday following will be considered the public holiday.

Compiled as §§435.101-435.103 of the Michigan Compiled Laws.

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