IN THE COURT OF APPEALS OF IOWA

No. 1-140 / 00-1184
Filed April 27, 2001

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CLERK SUPREME COURT

COASTAL MART, INC., and
RELIANCE NATIONAL INDEMNITY,
Petitioners-Appellants,

vs.

JULIE ANN REUTER,
Respondent-Appellee.

Appeal from the Iowa District Court for Polk County, Scott D. Rosenberg, Judge.

Petitioners appeal from the district court ruling affirming on judicial review a decision of the industrial commissioner awarding respondent workers' compensation benefits. **AFFIRMED.**

Sean P. Moore of Brown, Winick, Graves, Gross, Baskerville and Schoenebaum, P.L.C., Des Moines, for appellants.

David W. Stamp of Ball, Kirk & Holm, P.C., Waterloo, for appellee.

Considered by Hayden, Habhab, and Harris, Senior Judges.*

*Senior Judges assigned by order pursuant to Iowa Code section 602.9206 (2001).

PER CURIAM

The district court, sitting on judicial review, found no reason to interfere with an award of workers' compensation benefits. We think the holding was correct and affirm.

Respondent, Julie Reuter, was employed as a part-time convenience store cashier for Coastal Mart, Inc. She was assaulted during an attempted robbery of the store, resulting in a sciatic condition and posttraumatic stress, and was treated for both. In a few months Reuter was cleared to return to work, and did so for more than a year. She quit when a co-worker/friend was murdered at the store during a robbery.

A year later she was seen again by Dr. McMains who had treated her following the assault. Dr. McMains eventually diagnosed her as suffering from two work-related functional impairments. One, a five-percent impairment for chronic left sciatica for which Coastal Mart paid twenty-five weeks of personal disability benefits, is not in issue. The dispute begins with a separate impairment rating for a posttraumatic stress disorder.

Reuter initiated contested case proceedings to obtain workers' compensation benefits. The deputy industrial commissioner determined she sustained a thirty-five percent industrial disability as a result of the 1992 incident and awarded her 175 weeks of permanent partial disability benefits at a rate of $269.18 per week commencing June 17, 1992. The award was affirmed by the industrial commissioner on intra-agency appeal, and by the district court on judicial review.

Coastal Mart urges a different view of certain crucial facts, contending the record does not support the findings we have recited. Parties disappointed by agency findings are driven to this disposition by our severely limited scope of review. Agency findings are binding on a reviewing court unless a contrary finding is demanded as a matter of law. *Ward v. Iowa Dep't of Transp.*, 304 N.W.2d 236, 237-38 (1981).

Contrary to Coastal Mart's contention, the record does support Dr. McMains' opinion that Reuter's psychological condition related to her assault. Coastal Mart insists her stress problems resulted solely from the later murder of her friend. There was evidence to support this view, but the record does not demand such a finding. A work-related injury need not be the sole cause of an impairment; it is sufficient for an award if the injury is directly traceable to the work related incident. *Holmes v. Bruce Motor Freight, Inc.*, 215 N.W. 2d 296, 297 (Iowa 1974).

Coastal Mart thinks Dr. McMains' opinion on Reuter's condition was opposed to that of Dr. Rahim, psychiatrist who had treated Reuter following the assault. Reuter thinks the two views are reconcilable. A better answer is that the finder of facts could have chosen Dr. McMains' view and rejected any contrary view of Dr. Rahim.

The court was also correct in rejecting Coastal Mart's challenge to a finding of an industrial disability impairment rating of thirty-five percent. It was derived from the five-percent functional impairment of Reuter's back due to the sciatica and five-percent permanent functional disability due to the posttraumatic stress syndrome resulting in ten percent of the impairment of the whole body.

Reuter has restrictions on lifting weights, is forty-one years of age, and is prevented from returning to most jobs in her prior experience. There was no error.

AFFIRMED.