

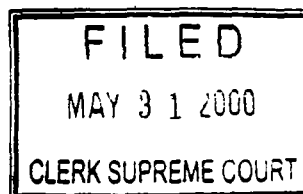
IN THE COURT OF APPEALS OF IOWA

No. 1999-606 (9-867) / 99-1038
Filed May 31, 2000

IONA HAZELWOOD,
Petitioner-Appellant,

vs.

MAYTAG DAIRY FARMS, INC.,
and WESTFIELD COMPANIES,
Respondents-Appellees.



Appeal from the Iowa District Court for Jasper County, Paul R. Huscher,
Judge.

Petitioner appeals from the district court ruling affirming on judicial review a decision of the industrial commissioner denying her workers' compensation benefits. Petitioner contends the court erred by finding substantial evidence supported the commissioner's decision that her skin condition was not work-related. **AFFIRMED.**

Dennis F. Chalupa of Brierly Law Office, Newton, for appellant.

Matthew J. Petrzela of Simmons, Perrine, Albright & Ellwood, P.L.C.,
Cedar Rapids, for appellees.

Considered by Vogel, P.J., and Mahan and Miller, JJ.

PER CURIAM

Petitioner-appellant, Iona Hazelwood, appeals the district court ruling affirming the industrial commissioner's denial of her workers' compensation claim. She claims the court erred in finding substantial evidence supported the commissioner's decision that her skin condition was not work-related. We affirm.

Maytag Dairy Farms employed Hazelwood from 1984 to 1994. In 1994 she left her job because of a skin rash. Hazelwood, whose work involved extensive handling of cheese, attributes the condition to repeated exposure to bad cheese. Hazelwood sought workers' compensation benefits. Her claim was denied by the industrial commissioner, and this decision was affirmed by the district court on judicial review. Hazelwood appeals.

Our review of decisions by the industrial commissioner is for errors of law, not de novo. *Gates v. John Deere Ottumwa Works*, 587 N.W.2d 471, 474 (Iowa 1998). We, like the district court, are bound by the agency's factual findings if they have substantial support in the record. *Id.*; see Iowa Code § 17A.19(8)(f) (1997). Evidence is substantial if a reasonable mind would accept it as adequate to reach the same conclusion. *Dunlavey v. Economy Fire & Cas. Co.*, 526 N.W.2d 845, 849 (Iowa 1995).

Hazelwood claims there was not substantial evidence in the administrative record to support the commissioner's finding that the skin condition was not work-related. She argues she presented overwhelming evidence demonstrating a causal relationship between her work and the skin problems, including medical opinions from her family physician and a dermatologist. In reviewing the industrial commissioner's findings of fact the question is not whether the

evidence might support a different finding, but whether it supports the findings actually made. *Kiesecker v. Webster City Custom Meats, Inc.*, 528 N.W.2d 109, 110 (Iowa 1995). Hazelwood points to evidence that Maytag had an unusually high percentage of bad cheese in 1993, when her condition was worst, that her condition has improved somewhat since leaving the job, and that other employees had similar experiences. She contends the commissioner's contrary finding is based solely on testimony from Maytag's expert, Dr. Wollner, who conducted a series of patch tests on Hazelwood and found a weak reaction to only one antigen, one not found in the workplace. She argues his opinion was based on a flawed methodology, amounted to unsupported speculation, and does not constitute substantial evidence. The industrial commissioner weighs the evidence, and we broadly and liberally apply those findings in order to uphold, rather than defeat, the industrial commissioner's decision. *St. Luke's Hosp. v. Gray*, 604 N.W.2d 646, 649 (Iowa 2000).

We are not free to interfere with an agency's findings of fact where there is conflict in the evidence or disagreement about the inferences to be drawn from the evidence whether disputed or not. *UNI-Faculty v. Iowa Public Employment Relations Bd.*, 545 N.W.2d 274, 277-78 (Iowa 1996). Although the record contains substantial evidence Hazelwood's rash could be work related, we do not ask whether the evidence might support a different finding but whether the evidence supports the findings actually made. *Id.* An agency's findings are binding on appeal unless a contrary result is demanded as a matter of law. *H & Z Vending v. Iowa Dept. of Inspections and Appeals*, 593 N.W.2d 168, 170 (Iowa App. 1999). Hazelwood had held her job for eight years before the rash began.

She testified the rash began in 1992, the year before Maytag Dairy Farms experienced a high percentage of bad cheese. There also was rash on her legs, which did not contact the bad cheese. The rash has continued in the years since she left Maytag Dairy Farms. We conclude substantial evidence in the record, even apart from Dr. Wollner's testimony, supports the findings of the industrial commissioner. We therefore affirm the decision of the district court in its review of the agency action.

AFFIRMED.