IN THE COURT OF APPEALS OF IOWA

FILED
AUG 2 3 1989
CLERK SUPREME COURT

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PRISCILLA FLANDERS, )

Petitioner-Appellant, )

vs. )

DAV THRIFT STORE and EMPLOYMENT APPEAL BOARD, ) 9-290 / 88-1550

Respondents-Appellees. )

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Appeal from the Iowa District Court for Polk County (AA 1350), Darrell Goodhue, Judge.

Petitioner appeals from a district court decision affirming a denial of unemployment benefits by the Employment Appeal Board. **AFFIRMED.**

Carolyn F. Coleman, Legal Aid Society of Polk County, Des Moines, for petitioner-appellant.

Joseph M. Galloway, Des Moines, for respondent-appellee DAV Thrift Store.

Blair H. Dewey and William C. Whitten for respondent-appellee Employment Appeal Board.

Considered by Donielson, P.J., and Schlegel and Sackett, JJ.

**PER CURIAM**

Petitioner Priscilla Flanders appeals from a district court decision affirming a denial of unemployment benefits by the Employment Appeal Board. Petitioner contends her previous employer, DAV Thrift Store, did not meet its burden of proving she was guilty of misconduct and thus she was entitled to unemployment benefits under Iowa Code section 906.5(2) (1987).

Our scope of review is limited to the correction of errors at law. Ray v. Iowa Dep't of Job Serv., 398 N.W.2d 191, 193 (Iowa App. 1986). We are bound by an agency's findings of fact if they are supported by substantial evidence. See New Homestead v. Iowa Dep't of Job Serv., 322 N.W.2d 269, 270 (Iowa 1982). We affirm the district court decision.

Petitioner was discharged from her job as head solicitor at DAV Thrift Store. After her discharge she filed a claim for unemployment benefits. DAV Thrift Store protested on the basis she had been discharged for misconduct. A hearing officer found petitioner was discharged for misconduct and the Employment Appeal Board affirmed the hearing officer's decision.

At the hearing, the store manager testified a state investigation showed earnings of the store's employees were falsified in reports made to the Department of Social Services. The reports were falsified to allow the

employees to receive greater ADC benefits. Petitioner was responsible for making these reports. The manager also testified petitioner admitted to him she had falsified the reports. At the hearing, petitioner denied falsifying the reports or making an admission she had falsified them.

Petitioner contends there was not substantial evidence to support the decision disqualifying her from receiving unemployment benefits. Iowa Administrative Code rule 345-4.32(4) provides: "[a]llegations of misconduct or dishonesty without additional evidence shall not be sufficient to result in disqualification." Petitioner argues the testimony at the hearing was a mere allegation, and that additional evidence is required before she can be disqualified. We disagree.

There is sufficient evidence to support a finding plaintiff was guilty of misconduct. The agency action here is supported by substantial evidence. Iowa Code section 17A.19(8)(f) (1987). We affirm the district court decision.

**AFFIRMED.**