

COURT OF APPEALS OF VIRGINIA

Present: Judges Willis, Fitzpatrick and Overton
Argued at Salem, Virginia

SHELBY JEAN CAMDEN

v. Record No. 0624-95-3
VIRGINIA EMPLOYMENT COMMISSION AND
STONEWALL JACKSON HOSPITAL

MEMORANDUM OPINION* BY
JUDGE NELSON T. OVERTON
APRIL 30, 1996

FROM THE CIRCUIT COURT OF ROCKBRIDGE COUNTY
George E. Honts, III, Judge

Terry M. Burt (Legal Aid Society of Roanoke
Valley, on brief), for appellant.

Donald G. Powers, Assistant Attorney General
(James S. Gilmore, III, Attorney General;
Lisa J. Rowley, Assistant Attorney General,
on brief), for appellee Virginia Employment
Commission.

No brief or argument for appellee Stonewall
Jackson Hospital.

Following termination of employment, the Virginia Employment Commission denied unemployment benefits to Shelby Jean Camden on the ground that her false statements on her employment application constituted misconduct related to work. Camden appeals from the decision of the circuit court affirming the commission. She contends that her conduct was insufficient to disqualify her from benefits. We disagree and affirm the judgment of the circuit court.

The parties are fully conversant with the record in the

*Pursuant to Code § 17-116.010 this opinion is not designated for publication.

cause, and a recitation of the facts is unnecessary to this memorandum opinion.

"The findings of the Commission as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive, and the jurisdiction of the court shall be confined to questions of law." Code § 60.2-625(A). A claimant is guilty of misconduct when she deliberately violates a company rule reasonably designed to protect the legitimate business interests of the employer. Branch v. Virginia Employment Comm'n, 219 Va. 609, 611, 249 S.E.2d 180, 182 (1978). Camden does not deny that her answers on her employment application were inaccurate. We concur with the conclusion of both the commission and the circuit court that the evidence clearly establishes misconduct by claimant that bars unemployment benefits as a matter of law. See Code § 60.2-618(2); Branch, 219 Va. at 611-12, 249 S.E.2d at 182.

Accordingly, we affirm the judgment of the trial court.

Affirmed.