



**DATE:** September 15, 2008  
**TO:** Robert Becker  
**FROM:** Ludmila Egorova  
**SUBJECT:** Investigation KG Germany – Letter of George Bentu to Charles Koch

**Summary of Investigation:**

At your direction, I conducted an investigation into the allegations contained in the letter addressed to Charles Koch by George Bentu on March 20, 2008. These allegations concerned bad leadership, harassment, preferential treatment and unjustified termination of George Bentu and were formulated against the Managing Director of Koch Glitsch Germany. As described below, the interviews conducted with the employees of Koch Glitsch Germany including Omar Dollie (Viernheim, Mai 6th-7<sup>th</sup> 2008), with the President of Koch Glitsch Europe, Christophe Ender (Bergamo, April 17<sup>th</sup> 2008), revealed no substantiation of these allegations.

**Summary of Key Findings:**

1. I found no substantiation to the alleged bad leadership of Omar Dollie:
  - a. Contrary to George Bentu's statement of no ownership of MBM Guiding Principles by Omar Dollie, my discussions with the employees revealed their thorough knowledge of MBM principles. In addition, the 10 Guiding Principles are displayed on the walls, could also be seen on the employees' desks, together with their RR&Es.
  - b. The allegation that Omar Dollie was supporting fraud was not substantiated. George Bentu alleged that [REDACTED] and [REDACTED] were cheating on expense sheets and that the local controller, [REDACTED] raised this concern with Omar Dollie. During my interview [REDACTED] denied having observed any irregularities committed by the employees and therefore having risen concern with Omar. She also stated that although she didn't work with George Bentu directly, she was aware of the fact that he was a difficult person to work with.
2. I found no substantiation to the alleged harassment/discriminating comments/unequal treatment of George Bentu by Omar Dollie or other employees:
  - a. George Bentu alleged that Omar Dollie attempted to isolate him by taking away his responsibilities. He argues that despite the fact that he was hired as sales engineer he was assigned to the estimation. This contradicts with the statement he makes elsewhere in his letter "...during my six years with KG, I have [...] completed most offers for South Africa [...], done more offers for the German speaking territory

and sold more ceramic packing from Koch Knight than any other KG Germany employee”.

- b. The collected evidence from the employees showed that George lacked communication skills and thus was not given responsibilities in communicating with customers. Furthermore, Omar Dollie and ██████ explained that George was reluctant to visit customers because of his single parent status: George argued that his son needed his presence, thus preventing him from accepting trips to customers. The company accepted this constraint.
  - c. George Bentu considers the fact that he was not given a calculator and a company cell phone to be an illustration of unequal treatment. However, since he was working at the company’s premises he didn’t require a mobile phone. Those are provided to sales people going out to customers. In addition, the employees of Koch Glitsch, including the estimators and accounting functions, use their own calculators. ██████ confirmed me that she was not provided one by the company and was using hers.
  - d. George Bentu points to what he considers to be discriminating comments made by Omar Dollie about his non-German origin as well as about US employees. Omar explained that the employees of Koch Glitsch Germany are very proud of the high quality of their products. He asked one of the sales engineers to provide me with the quality follow-up file. Among other documents, this file contained photos of random packing items received from US or Italy that were bend or otherwise deformed. The employee said that in Germany such defect can not be acceptable. Further investigation showed that comments that could have been made in the presence of George Bentu concerned the quality of products. I didn’t find any substantiation to any personal criticism or any discriminating comments.
3. I found no substantiation to the alleged inappropriate and abusive process of termination of George employment with the company:
- a. George Bentu criticizes his termination process and the arguments used to justify it. Omar Dollie explained that throughout his career with Koch Glitsch Germany, George demonstrated a poor engineering judgment but also created a difficult atmosphere that eventually affected the working relationship within the team. In addition, the evidence provided by Omar Dollie shows that every year George was taking sick leave for a maximum amount of days allowed by the German state not necessitating a medical visit (below 30 days). While this could be a coincidence once, the repetition of this practice was judged suspicious. Also, George was making open statements that if he wouldn’t get vacation he will go on sick leave. This added to a negative perception of his work ethics by other employees of the company.
  - b. The termination process was conducted in accordance with the strictest interpretation of the German employment law. The termination agreement negotiated and signed between Koch Glitsch

Germany and George Bentu included payment of 8 months of salary. According to the German employment law, if the employee leaves a company with a settlement, he is not entitled to the unemployment benefits. Since this agreement prevented George to get unemployment benefits, he initiated a legal action against the German State but lost.

**Conclusion:**

George Bentu's letter to Charles Koch is contradictory and contains a number of complaints with insufficient or no substantiation.