

## TITAN TIRE DRUG & ALCOHOL POLICY

December 28, 2010

In order to achieve a drug-free workplace a policy must be established to assist employees who have drug/alcohol related problems and to protect the safety and well being of all Company employees.

The purpose of this policy is to promote the safety, health and well-being of the Company's employees and those who come into contact with the Company's workplace and property. In addition, it is the opinion of the Company that deterrence, detection and treatment of substance abuse is socially beneficial. The policy will not only achieve a drug-free workplace, but will also assist employees who have drug/alcohol-related problems and protect the safety and well being of all employees.

The Company is concerned about the effects of the use of illegal drugs and the abuse of alcohol on the health and safety of its employees and the employees' families. The problems associated with substance abuse are spreading faster than our government and law enforcement agencies can mobilize and fight them.

We recognize that drug and alcohol abuse leads to increased accidents and can destroy an employee's health and adversely affect his or her family life. Employees who abuse drugs and alcohol are a danger not only to themselves but also to their fellow employees. In addition, the medical costs incurred by employees with drug and alcohol problems are much higher than those of other employees. The decreased productivity and increased absenteeism of these employees can adversely affect the Company's ability to be competitive in the marketplace and therefore threaten future job security for all of us.

By accepting employment with the Company, employees accept the obligation to make every effort to maintain fitness for work and regular attendance. However, it is clear that drug/alcohol abuse has become a threat to some employees' ability to fulfill that obligation. As a result, this Drug-Alcohol Abuse Policy is being implemented. The intent of this policy is not to punish but to provide assistance to those employees who need it, and above all, to protect the safety and well being of all Company employees by maintaining a drug-free workplace.

Nothing in this Policy shall operate to limit the rights of Bargaining Unit Employees under a Collective Bargaining Agreement. Please refer to your Collective Bargaining Agreement for further information.

The Policy is effective immediately, however the Random testing in Freeport and Bryan will begin no sooner than thirty (30) days after the date of ratification of the Collective Bargaining Agreement. Any employee in any facility with a drug or alcohol problem is encouraged to immediately seek assistance through the EAP.

### I. SCOPE.

All employees are required to abide by this policy as a condition of employment and continued employment with the Company. Employees who violate this policy are subject to disciplinary

action which may include termination of employment.

## II. POSSESSION OR USE OF DRUGS/ALCOHOL IS PROHIBITED.

All employees are hereby placed on notice that the unlawful manufacture, dispensation, sale, possession, or use of a controlled substance on company property (including Company cars and, Company parking lots) is prohibited.

In addition, the manufacture, distribution, dispensation, sale, possession or use of alcohol or drug paraphernalia on Company premises, or while engaged in Company business is prohibited. Furthermore, employees are prohibited from being under the influence of drugs or alcohol while at work or engaged in Company business, or from having their ability to work impaired as a result of drug or alcohol use. In addition, the use of alcohol or drugs during breaks, including lunch or dinner breaks, is prohibited. Violation of this policy is grounds for immediate termination of employment for the first offense.

Employees are advised that the Company fully cooperates with local law enforcement and government agencies in any investigations related to the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by its employees or subcontractors.

## III. REQUIREMENTS TO INFORM EMPLOYER OF CONVICTION.

An employee will notify the Human Resource Manager of any criminal drug or alcohol statute conviction for a violation occurring in the workplace no later than 5 days after such conviction. Failure to comply with this requirement is grounds for immediate termination of employment, for the first offense. The term "conviction" means finding of guilt, including a plea of "No Contest" or similar plea resulting in a guilty finding, or the imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statute.

## IV. SEEKING VOLUNTARY ASSISTANCE AND REHABILITATION.

It is the Company's desire and intent to encourage any employee with drug or alcohol dependency to seek professional assistance before such dependency leads to an incident requiring disciplinary action.

The Company urges employees who have a drug or alcohol related problem to seek assistance VOLUNTARILY. The Company will provide guidance for those employees with substance abuse problems. Employees who VOLUNTARILY seek assistance will not be disciplined, provided they participate in a Company approved rehabilitation program. Your Human Resources Department can help in locating certified rehabilitation facilities in your area.

## V. EDUCATION.

In addition to the commitment made in Section IV, the Company will provide drug awareness information to employees, consisting of: the dangers of drug abuse in the workplace; the Company's drug-free workplace policy; the availability of counseling, rehabilitation, and employee assistance programs; and the possible penalties for violations of the policy. Supervisors will be trained periodically to identify and address the issues concerning illegal drugs and/or alcohol and their use by employees. Pamphlets concerning the abuse of drugs and alcohol will also be available in the Human Resources Department.

## VI. ALCOHOL AND DRUG TESTING.

The purpose of drug and alcohol testing is to provide a safe workplace and to provide help to those addicted to drugs or alcohol.

- A. Applicants for all positions (including contract labor) shall be required to submit to blood, urine and/or other medical testing for alcohol, drugs and controlled substance usage as part of their pre-employment medical examination as a condition of employment. Applicants will be notified of the need to take a drug/alcohol test prior to the testing. Pre-employment drug and alcohol testing will occur after an offer of employment has been extended. The offer of employment is contingent upon passing the drug/alcohol testing. If an Applicant refuses the test or if the test results demonstrate the presence of undisclosed prescribed or unauthorized drugs or controlled substances or an unacceptable level of alcohol of .04 or more, the applicant will not be offered employment. New Employee Applicants will not be offered the opportunity to retest.
- B. Current employees who refuse to take the test, or test results reporting a presence of illegal drugs, the illegal use of controlled substances, or an unacceptable level of alcohol (.04). Current employees whose test results are negative will receive payment for any lost wages incurred. Current employees who refuse to submit test when requested by the Company will be considered to be under the influence of drugs or alcohol and will be terminated.
- C. Any current employee who comes forward and advises the Company PRIOR to being tested (whether for cause testing, random testing or post accident) that he or she has a drug or alcohol problem will be suspended immediately and given the opportunity to seek counseling and treatment and will not be discharged or suspended for violation of the Company's drug and alcohol policy. However, an employee is still subject to discipline for any other violation of work rules. The employee will not be permitted to drive from the plant. Prior to any test being performed, the Company will notify each employee of this option. In order to avoid termination under this section:
  1. The Employee must notify the Employer of the concern before any test is administered,
  2. The Employee must report to counseling as scheduled and follow all advice and recommendations of the counselors,

3. The Employee must agree to at least one year of follow up random testing; and
  4. Agree that any further violation of this policy will result in termination.
- D. Employees may be required to submit to a drug/alcohol screening test if, during the course of their employment, circumstances arise that may create a suspicion of illegal drugs and/or alcohol usage. These circumstances may include, but are not limited to the following direct observation of:
1. Unusual behavior
  2. Slurred speech
  3. Uncharacteristic walk
  4. Motor skills impairment
  5. Balance impairment
  6. Glassy eyes
  7. Odor of drug or alcohol
  8. Substantial damage to Company property
  9. Bodily injury to another person.
- E. Employees may also be required to submit to a physical examination, including a drug/alcohol screening test, upon recall from layoff and/or return from any Leave of Absence in excess of thirty (30) days, except personal medical leave at which time a physical examination, including a drug/alcohol screening test is required after an absence of five (5) days.
- F. Employees may also be required to submit to a drug/alcohol screening test when the Company conducts an unannounced random drug/alcohol screening test, in accordance with the procedures established below in Section XII.
- G. An employee who is incapacitated and tests positive in violation of this Policy, can still avail him or herself to Section C above after the test.

#### VII. OBLIGATION TO SUBMIT TO DRUG/ALCOHOL SCREEN.

Employees ordered to submit to a drug/alcohol screen for any of the reasons provided in the policy shall be informed of the reasons why they are being asked to submit to a drug/alcohol screen. Employees who refuse or fail to submit to a drug/alcohol screen will be informed that their refusal or failure shall be handled in accordance with Section VI. (B) above.

#### VIII. DRUG/ALCOHOL TESTING PROCEDURES.

All tests will be performed in laboratories approved under rules adopted by the National Institute of Drug Abuse (NIDA) or applicable state law. The drug and alcohol screening tests used will be those screening tests recommended by NIDA or applicable state law and specified by the Federal Government for agencies who are under mandatory testing. Chains of custody and testing

guidelines and controls shall be maintained throughout the analysis. The employee is responsible for providing to the laboratory the correct and accurate information as to the employee's personal information, if the employee falsifies that information the employee is subject to discipline up to and including termination. It is the employee's responsibility to notify the Company or the laboratory of any medication he or she is taking which may affect the results of the testing.

## IX. DRUGS TESTED FOR.

Employees will be governed by the following procedures.

Drugs covered by this Policy include, but are not limited to:

Amphetamine & Methamphetamine		Barbiturates
Cocaine and related substances	Benzodiazepine	
Marijuana, Hash and other cannabis Extracts or synthetic equivalents	Methaqualone	
Opiates, including heroin, morphine And codeine	Phencyclidine(PCP)	
Propoxyphene	LSD	
Mescaline	Psilocybin/Psilocyn	

Screening test for drugs will be through urinalysis or other scientifically proven testing methods. All urine samples will be collected in a private location by qualified personnel designated by the Company. The sample will be kept secure until shipped to testing laboratory for a confirmation of the positive result.

Constituent	Positive Screen Cutoff Levels
Marijuana Metabolites	50 ng/ml
Cocaine Metabolites	300 ng/ml
Opiate Metabolites	2000 ng/ml
Phencyclidine	25 ng/ml
Amphetamines	1000 ng/ml

### A. CONFIRMATION TEST PROCEDURES.

All specimens identified as positive on initial screening test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques and by quantitative analysis at the cutoff levels listed below:

Constituent	Confirmatory Test Levels
Marijuana Metabolites	15 ng/ml
Cocaine Metabolites	150 ng/ml
Opiate Metabolites	
Morphine	2000 ng/ml
Codeine	2000 ng/ml
6-Acetylmorphine	10 ng/ml

Phencyclidine	25 ng/ml
Amphetamines:	
Amphetamine	500 ng/ml
Methamphetamine	500 ng/ml

#### B. CONFIRMATION TEST PROCEDURES (Alcohol).

All specimens identified as positive on the screening test that shows an alcohol concentration of the .04 level or higher shall be confirmed using an EBT device that is capable of assigning a unique and sequential number to each test and is capable of printing out, on each copy of the result, the manufacturer's name for the device's serial number, and the time of the test.

NOTE: A confirmation test should be performed at least 15 minutes after the screening test, but not more than 20 minutes. If for some reason the confirmation is beyond 20 minutes the initial screening test must be performed again and followed up with a confirmation test 15 minutes later.

#### X. CONSEQUENCES OF WORKPLACE DRUG CONVICTION OR POSITIVE TEST RESULT.

In the event a required drug/alcohol screen test reveals the use of illegal drugs and/or alcohol, the employee will be notified. The Employee may request a second drug/alcohol screen test, at their own expense, within 7 days of receiving notice of their positive drug/alcohol screen test. If the employee feels he or she may take legal action, it is the employee's responsibility to contact the laboratory of action.

If the Company is informed that an employee's drug/alcohol screen test reveals that the employee altered or tampered with the specimen, the employee will be terminated.

#### XI. CONFIDENTIALITY.

All drug screen reports will be considered strictly confidential. Drug screen reports will be provided to appropriate managers and administrators depending on the identity of the employee and the nature of the inappropriate behavior.

Exceptions to this Confidentiality requirement occur when:

the employee or applicant provides a written release regarding the information; the information is necessary for arbitration; or for administrative or judicial proceeding, provided the information is relevant; the information must be disclosed to a federal or state agency under a law, regulation or order, or in compliance with the requirements of a state or federal government contract; the information is being provided to a drug-abuse rehabilitation program for evaluation or treatment of the employee; or there is risk to public health or safety that could be minimized or prevented by a release of the

information, but unless such a risk is immediate, a court order must first be obtained. Drug screen reports will be placed in an employee's personnel file and will be expunged annually if the employee was evaluated for substance abuse and successfully completed treatment.

## XII. RANDOM TESTING PROCEDURES:

### Selection:

Random drug and alcohol testing will be conducted at a minimum of once per month and a maximum of 8 employees selected weekly from the total population. The random selection will be conducted by Clinical Reference Lab (or a mutually agreeable facility at each location, Des Moines, Freeport, Bryan), the day prior to the scheduled testing day, by use of social security numbers. Such selection will include all employees, hourly and salaried. After the random selection has been conducted by Clinical Reference Lab, the Human Resources Manager will set up the time of the random testing for each shift to ensure that the time of the testing between the shifts is time effective.

### Testing:

Once the Human Resources Manager has set up the time of the random testing for each shift, the testing will be conducted by an approved laboratory. When an employee is selected for testing, they will be escorted directly, without stopping, to the Human Resources Department for testing. If an hourly employee is selected for random testing, their supervisor will escort them to the testing area. If a Supervisor is selected for testing, their Manager will escort them to the testing area. If a Manager is selected for testing, the Human Resources Manager will escort them to the testing area. If the Human Resources Manager is selected for testing, the Operations Manager will escort them to the testing area. The procedure is for every hourly and salaried employee.

The random testing will be conducted by an approved laboratory. If an employee provides a cold sample to the laboratory personnel, the employee will be immediately asked to provide another sample which shall be taken under observation of the laboratory personnel. If an employee provides an adulterated or substituted sample (including other gender sample) to the laboratory personnel, the employee will be terminated.