

TITAN TIRE DRUG & ALCOHOL POLICY

October 9, 2018

The purpose of this Drug and Alcohol Policy ("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, as well as to protect the integrity of the Company's product and limit unnecessary costs to the Company.

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. Any employee in any facility with a drug or alcohol problem is encouraged to immediately seek assistance through the Company's Employee Assistance Program (EAP).

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.

I. SCOPE

This Policy is effective as of the date listed above and replaces all previous Drug & Alcohol Policies implemented by the Company. Employees are required to abide by this Policy as a condition of employment and continued employment with the Company.

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

All employees are hereby placed on notice that employees are prohibited from having their ability to work impaired as a result of illegal drug or alcohol use or from having illegal drugs or alcohol in their systems while on Company property (including Company cars and Company parking lots) or while engaged in Company business. In addition, the unlawful manufacture, distribution, sale, possession, or use of a controlled substance while on Company property (including Company cars and Company parking lots) or while engaged in Company business is prohibited. The use of alcohol or illegal drugs during breaks, including lunch or dinner breaks, is prohibited. Any employee who engages in such prohibited conduct will be terminated on the first offense.

A drug is considered an "illegal drug" under this Policy if it is illegal to possess or obtain, or is legal to possess, but has been obtained illegally, such as possessing prescription drugs without a valid prescription. As such, when the term "illegal drug" is used in this Policy, this term includes prescription drugs obtained or used either without a prescription or not in accord with the prescription.

This Policy generally does not prohibit employees from lawfully possessing and using prescribed drugs. However, employees using valid prescription drugs are prohibited from abusing such

drugs by consuming them in excess of the prescribed amounts or from consuming prescribed drugs that impair their ability to safely perform their duties. An employee should consult a doctor if the employee is unsure as to the potential effects of any prescribed drugs.

The employee is responsible for notifying his or her supervisor if any prescribed drugs taken by the employee may impair the employee's ability to work safely or perform the employee's duties effectively. If the employee is taking drugs prescribed by a physician, dentist or other licensed practitioner which may affect the employee's ability to safely perform a job, the employee must obtain a written statement from the employee's practitioner. This statement must specify any work restrictions and is to be given to the Company prior to the employee starting work under the influence of this drug(s).

Under this Policy, use of marijuana that is prescribed under a State law is still considered to be use of an "illegal drug." The decriminalization of marijuana use for those with a prescription has no impact on the Company Policy prohibiting the possession or use of marijuana at work, being under the influence of marijuana at work, or having marijuana in your system at a level prohibited by this Policy. Marijuana is still illegal under federal law, with or without a prescription.

Employees are advised that the Company fully cooperates with local law enforcement and government agencies in any investigations related to the unlawful manufacture, distribution, 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 five (5) days after such conviction. 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 a federal or state criminal drug statute. Failure to comply with this requirement is grounds for immediate termination of employment for the first offense.

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 access and information regarding resources and guidance for those employees with substance abuse problems. The employee is encouraged to seek help through the EAP. Your Human Resources Department can also help in locating certified rehabilitation facilities in your area.

All employees are subject to drug and alcohol testing by the Company. The Company's drug and alcohol testing policies are set forth below. Employees ordered to submit to a drug or alcohol test for any of the reasons provided below shall be informed of the reasons why they are being asked to submit to a drug/alcohol screen. Any employee who tests positive for illegal drugs and/or an amount of alcohol over .04 will be terminated on the first offense.

A. Instances of Drug and Alcohol Testing

1. ***Job Applicants.*** 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 and 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 and alcohol test. If an Applicant refuses the test or if the test results demonstrate the presence of illegal drugs, or an unacceptable level of alcohol of above .04, the applicant will not be offered employment.
2. ***Suspicion of Use.*** An employee may be required to submit to a drug and/or alcohol test if, during the course of his or her employment, circumstances arise that may create a suspicion that the employee has illegal drugs and/or alcohol in his or her system while at work or engaged in Company business. These circumstances may include, but are not limited to, the following:
 - a. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - b. A report of alcohol or other illegal drug use provided by a reliable and credible source;
 - c. Evidence that an individual has tampered with any drug or alcohol test during the individual's employment;
 - d. Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used, or transferred drugs while working or while on Company premises or while operating a Company vehicle, machinery, or equipment;
 - e. Direct observation of one or a combination of the following:
 - (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.

3. **Return to Work.** Any employee who returns to work: (i) from a leave of absence for non-personal medical reasons of thirty (30) or more days irrespective of the reason for the leave; and/or (ii) from a leave of absence of thirty (30) or more days for medical reasons (work related or personal medical reasons) will be required to have a drug and alcohol test.

4. **Random Testing.** Employees will be required to submit to a drug and alcohol test when the Company conducts unannounced random drug/alcohol screening tests.

- i. Random drug and alcohol testing will be conducted at a minimum of once per month and a maximum of eight (8) employees will be selected weekly from the total employee population. Employee selection is based upon a neutral, objective process conducted by an independent, qualified lab or medical center. The day prior to the scheduled testing day, by use of social security numbers, the computerized, random selection will be conducted by the independent, qualified lab or medical center selected by the Company. Such selection will include all employees, hourly and salaried, and will be done through a computerized process that ensures all employees have an equal chance of being selected. The random selection process shall be conducted through a computer program that records each selection attempt by date, time, and employee number. After the random selection has shared with the Company, the Company will set up a time for the random testing for each shift either during or immediately before or after a regular work period.
- ii. Once the time of the random testing for each shift has been set, the testing will be conducted by an approved, independent laboratory or medical center selected by the Company. When an employee is selected for testing, a supervisor will escort the employee to the location of the testing directly without stopping.

B. Opportunity to Opt Out of Testing to Seek Treatment.

In order to encourage employees to seek help and treatment for a drug and/or alcohol problem, each employee is permitted one opportunity to opt out of drug and/or alcohol testing during the employee's term of employment with the Company. In order to opt out of a drug and/or alcohol test under this Section, the employee must comply with all of the requirements set forth below. Prior to any

drug and/or alcohol test being performed, the Company will notify each employee of this option.

Any current employee, who has not previously opted out of a drug or alcohol test to seek treatment, may come forward and advise the Company PRIOR to being tested (whether for cause testing, return-to-work testing, or random testing) that he or she has a drug or alcohol problem. Once the employee indicates that he or she would like to opt out of the drug and/or alcohol test, the employee will be placed on a non-disciplinary suspension immediately and be given the opportunity to seek counseling and treatment. The employee will not be tested at that time. However, the employee is still subject to discipline for any other violation of work rules.

An employee who opts out of a drug or alcohol test on a one-time only basis under this section will not be discharged for a violation of this Policy for a refusal to test provided that the employee agrees to the following:

1. The Employee must notify the Company of his or her problem with alcohol or drugs 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 provide the Company with a copy of counseling records, recommendations, or other documentation requested by the Company;
4. The Employee must agree to undergo a return-to-work drug test prior to returning to work;
5. The Employee must agree to one year of follow-up drug and/or alcohol testing in which the Employee agrees to (1) participate in all drug and/or alcohol tests required by the Company under this Policy and (2) submit to additional drug and/or alcohol testing at any time the Company requests;
6. The Employee must agree that any further violation of this Policy will result in termination.

C. Refusal to Test or Leaving the Testing Area

Other than as stated in Paragraph 5.B. above, employees who refuse to submit to a drug and/or alcohol test when requested by the Company will be considered to be under the influence of drugs or alcohol and will be terminated on the first offense.

Employees who are called for testing are required to provide a sample and, except in extenuating circumstances approved by the Company in advance, may not leave the testing area until the test is completed. If an employee's shift ends and the employee has not yet completed the testing process, the employee may not leave

the testing area until the test is completed. Rather, if necessary, the employee must stay after the employee's shift to provide a sample and the employee will be compensated for his or her time. Any employee who leaves the testing area without providing a sample and/or without obtaining prior approval from the Company will be considered to have refused the test and will be terminated on the first offense.

D. Drug Testing Procedures

Screening tests for drugs will be through urinalysis or other scientifically proven testing methods. When providing a urine sample, the employee will be directed to a private location. All urine samples will be collected by independent, qualified personnel designated by the Company ("collection agency personnel"). Each urine sample will be split at the time of testing.

Once the sample is collected, the collection agency personnel will conduct a preliminary test of the sample provided. If this preliminary test reports a non-negative result for any drug tested, the entire split sample will be sent to a laboratory for further testing. The secondary part of the split sample will be retained by the laboratory and may be used for a retest as permitted by this Policy.

If an employee provides a cold sample or otherwise submits a sample inconsistent with the requirements of the collection agency personnel, the employee will be immediately asked to provide another sample which shall be taken under observation of the collection agency personnel. An employee who falsifies the information provided during testing will be terminated.

Every employee has an obligation to cooperate with the collection agency personnel within a reasonable time frame. Chains of custody and testing guidelines and controls shall be maintained throughout the collection and analysis. The sample will be kept secure until shipped to testing laboratory. All tests will be performed in laboratories approved under rules adopted by the United States Department of Health and Human Services' Substance Abuse and Mental Health Services Administration or as otherwise required by applicable state or federal law.

It is the employee's responsibility to notify the Company, the collection agency, or the laboratory of any medication he or she is taking which may affect the results of the testing. The employee is responsible for providing to the collection agency the correct and accurate information as to the employee's personal information.

When an employee's sample requires laboratory testing because the preliminary drug test reported a non-negative result, the employee will continue to report to work, but will be placed in a light duty position with duties assigned at the Company's discretion. The employee will remain on light duty and not perform any safety sensitive functions until the Company receives the results of the laboratory testing. If the laboratory reports a final negative result, the employee will be restored to the employee's assigned position. If the laboratory reports a final

positive result, the employee will be immediately suspended pending the next steps required by this Policy.

E. Drugs Tested

Employees will be tested for the presence of drugs including, but not limited to the following:

- Amphetamines
- Methamphetamines
- 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/ Psilocin

F. Positive Screening Levels for Drugs

The testing laboratory will use the following threshold cutoffs for its initial and confirmatory tests to determine whether the employee's sample is positive for drugs. The initial screening test conducted by the laboratory is different and distinct from the preliminary test conducted by the collection agency at the time of the test:

Initial Screening Test Cutoff Levels:

| <u>Constituent</u> | <u>Positive Screen Cutoff Levels</u> |
|-----------------------|--------------------------------------|
| Marijuana Metabolites | 50 ng/ml |
| Cocaine Metabolites | 300 ng/ml |
| Opiate Metabolites | 2000 ng/ml |
| Phencyclidine | 25 ng/ml |
| Amphetamines | 1000 ng/ml |

Confirmatory Screening Test Cutoff Levels:

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

| <u>Constituent</u> | <u>Confirmatory Test Levels</u> |
|--------------------|---------------------------------|
|--------------------|---------------------------------|

| | |
|-----------------------|------------|
| 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 |

G. Confirmation Test Procedures for Alcohol

All specimens identified as positive for alcohol on the screening test that have an alcohol concentration of above .04 shall be confirmed using an BBT 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.

Chains of custody and testing guidelines and controls shall be maintained throughout the collection and analysis. It is the employee's responsibility to notify the Company or the collection agency of any medication he or she is taking which may affect the results of the testing. The employee is responsible for providing to the collection agency the correct and accurate information as to the employee's personal information.

An employee who falsifies the information provided during testing will be terminated.

H. Consequences for Failure of a Drug and/or Alcohol Test

Any employee who has a positive test for the presence of illegal drugs or an unacceptable level of alcohol (more than .04) will be terminated on the first offense.

An employee will be notified of a positive test in writing. In the case of a positive drug test, within seven (7) days of notification of positive drug test results, the employee may request a retest of the original drug test sample that the employee initially provided (through what is commonly referred to as "split sample testing"). This retest will be completed at the employee's own expense. If the retest does not confirm the positive result, the termination may be reversed and the employee will be reimbursed for the fee.

If an employee alters or tampers with his or her test sample, the employee will be terminated.

I. Confidentiality

All drug and alcohol test reports will be considered strictly confidential. Drug and alcohol test 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 an 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.