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## SUBSTANCE ABUSE TESTING POLICY

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### 1. PURPOSE

Transamerican Auto Parts Company Inc. (4WheelParts Performance Centers and Wholesalers, Transamerican Wholesale and Distribution Centers – aka “TAP”) has a strong commitment to its employees to provide a safe, healthy, and productive work environment. We strive to provide quality goods and services to our customers in an efficient manner. In light of that, it is the Company’s goal to establish a workplace free from the use and abuse of drugs and alcohol.

### II. DEFINITIONS

**Legal Drugs** - Includes prescribed drugs, over-the-counter drugs and alcohol which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

**Illegal Drugs** – Any drug (a), which is not legally obtainable, or (b), which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

**Pre-Employment** – Time period after an offer of employment has been given to an individual but before the individual begins work at TAP.

**Reasonable Suspicion** – Belief based upon objective facts, observations, or behaviors that could reasonably lead a supervisor/manager to suspect that an employee is using or possessing drugs and/or alcohol. Reasonable suspicions may include but are not limited to the following:

- a. On-the-job accidents;
- b. Property damage;
- c. Observable phenomena such as direct observation of drug and/or alcohol use of drug paraphernalia;
- d. A pattern of abnormal conduct or erratic behavior.
- e. Lack of balance, unsteady or staggered walk, or muscle twitching;
- f. Red, watery or glassy eyes, dilated or constricted pupils or difficulty focusing the eyes;
- g. Disorientation or uncoordinated movement of the body or hands;
- h. Slurred speech, memory loss, or drowsiness;
- i. Information obtained through undercover investigations or law enforcement authorities that would lead one to suspect drug use.

**Catastrophic Occurrences** – Any incident that results in greater than \$4,400 of property, productivity, or product loss or results in an injury to co-workers or the public.

**Non-Injury Accident** – An incident that occurs during worktime with no injury involved and results in greater than \$500.00 of property damage, or causes injury to another employee/individual.

**Injury Accident** – Incident that occurs during the course and scope of employment that results in personal injury to employees (or another) that requires medical attention by a medical doctor.

### III. OVERVIEW

**Drug Free Workplace:** The use, sale, possession, purchase, transfer, being under the influence, or presence in one’s body of a detectable amount of illegal drugs and or alcohol, while on the job or on company property is prohibited and may result in discipline up to and including termination. In addition, being under the influence of a prescribed drug in a manner which impairs their ability to do the job or is threatening to their safety or the safety of other employees or being under the influence



of alcohol as defined by local law while on the job or on company property is prohibited and may result in discipline, up to and including termination (nature, degree and/or severity of any discipline will be at the sole discretion of TAP management based upon the facts and circumstance of each particular case). Illegal drugs found by a Company representative will be turned over to the appropriate law enforcement agency and may result in criminal prosecution.

**Investigations:** The Company may in its sole discretion, conduct searches for illegal drugs and/or alcohol in Company facilities, if reasonable suspicion exists for the search. The Company has the right to search Company owned desk, lockers, files and offices, which are provided for an employee's use. In addition, the Company has the right to search employee's personal property brought onto the work-site including but not limited to lunch boxes, briefcases, handbags, and vehicles in Company parking lots (refer to new hire packet). An employee's refusal to cooperate with such a request may result in termination.

**Drug Testing (types):**

- a. Post-Accident, Reasonable Suspicion, Non-Injury Accident, Catastrophic Occurrences: A drug and/or alcohol screening will be required. If the employee refuses, he/she can be terminated.
- b. Pre-Employment: A drug screen will be required of all external applicants. Failure to consent will result in a rejection of the individual's application. Any positive test will result in a withdrawal of offer of employment.

**Testing Process:** All tests will be done by a certified laboratory and reviewed by a Medical Review Officer (MRO) to ensure accuracy. An individual has the right to challenge the result within 5 working days of receipt of the positive test result. A challenge must be made in writing and submitted to the Company within the above time period.

**Disputed Results:** If an employee disputes results, he/she may have a portion of the original sample re-tested at the same or other Department of Human Health Services (DHHS) certified analytical laboratory at the employees' cost. The results of the second specimen's test shall then be sent to the MRO without regard to the cutoff levels specified for the first specimen. The second laboratory only has to confirm the presence of any illegal drug metabolite in any quantity to render the sample positive. The MRO shall notify the employee of the final determination. If the final determination was negative, the employee will be reimbursed for test cost.

**IV. CONFIDENTIALITY AND PRIVACY**

All drug and alcohol test results will remain and be considered confidential. Results will only be disclosed to TAP on a need-to-know basis and as allowed by law and retained in a secure location with controlled access. The release of an individual's drug and alcohol test results and other information gained in the testing process will only be otherwise disclosed in accordance with an individual's written authorization, or as otherwise required by applicable law.

If you have any questions regarding this policy, please contact corporate HR and/or Safety. Please sign below (acknowledgement) verifying that you have received read and understand this policy.

\_\_\_\_\_  
Employee (Print)

\_\_\_\_\_  
Employee (Signature)

Date: \_\_\_\_\_