
Tiger Lines, LLC
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SAFETY POLICY MANUAL

Tiger Lines, LLC
Safety Policy Manual

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POLICY STATEMENT

The successful performance of a Company depends upon its ability to control loss resulting from bodily injuries, occupational illness, and property damage. The personal safety of each employee in this Company is of primary importance. The prevention of accidents is of such importance that it will take precedence over expediency and short cuts. To the extent possible, management will provide the means to assure safe working conditions.

We will maintain an effective accident prevention and safety program. However, the success of this program depends upon the attitudes of supervisors and employees. It requires cooperation between supervisors and employees, and between each employee in all matters involving safety and health. Only through cooperation can we have an effective accident prevention and safety program.

IT IS OUR OBJECTIVE TO KEEP BODILY INJURIES, OCCUPATIONAL ILLNESSES, AND PROPERTY DAMAGE AT "ZERO".

To achieve this goal and assure the success of our accident prevention, the safety program will involve the following responsibilities:

MANAGEMENT—Accepts responsibility for leadership of the program, for its effectiveness and for providing a safe work environment.

SUPERVISORS—Are responsible for developing proper attitudes toward the program—within themselves and those they supervise—and to ensure all operations are performed with regard to the safety of the employee.

EMPLOYEES—Are responsible for full cooperation needed to implement the program. This requires compliance with Company rules and use of good safety habits while performing their duties.

Mauro Torres
Director of Safety and Compliance

DRIVER'S RECORD OF DUTY STATUS (LOGS)

Hours of Service Compliance

Driver's Logs will be audited daily, and violations or corrections will be dealt with immediately by the Dispatcher or Log Clerk, with written confirmation to the Safety department. Subsequent violations notice and disciplinary actions will be addressed on a monthly basis. Disciplinary actions will parallel the six-month window of the record keeping requirements of the California Civil Code and Title 49 CFR part 395, (Driver's Logs), i.e. a violation warning notice issued to a driver for the month of January will be removed from his file on the first day of July.

- A. CFR 49 Part 395.1 (Scope and Authority) applies to all motor carriers and all drivers.
 - 1. If a driver willfully and deliberately falsifies a driver's log to conceal true hours of service, that driver will be immediately terminated for cause.

- B. Violations of regulations promulgated by Federal and State Agencies will not be tolerated.
 - 1. Driver's Logs must be completed accurately and legibly.
 - 2. Driver's Logs must be a true and accurate reflection of the driver's activities for the day.
 - 3. Violations of hours of service regulations for driving time or on-duty time will result in progressive disciplinary actions.

DRIVER'S LOG VIOLATIONS

Disciplinary Program

Disciplinary actions will be progressive and issued for violations in the following manner.

- A. *Deliberate and willful falsification will result in immediate termination.*
- B. Violations of regulations other than deliberate and willful falsification will result in the following disciplinary actions:
 - 1. The **first point** violation recorded will result in a VERBAL REPRIMAND being issued to the driver that will require the driver to counsel with the Safety Department. The purpose of this counseling is to insure that the driver understands the regulations and Company policy.
 - 2. The **second point** violation recorded in any **subsequent** month in the same six-month reporting period will result in a WRITTEN WARNING NOTICE being issued to the driver. The WRITTEN WARNING NOTICE will require the driver make and keep an appointment with the Safety Department for review and remedial training on Driver's Logs and Hours of Service Regulations.
 - 3. The **third point** violation discovered in any **subsequent** month within the same six-month reporting period will result in SUSPENSION NOTICE being issued to the driver. The Suspension Notice will require that the driver be SUSPENDED from work without pay for a period of (1) day. It will also require that the driver counsel with the Safety Department.
 - 4. The **fourth point** violation discovered in any **subsequent** month within the same six-month reporting period will result in the driver being issued a SUSPENSION NOTICE. The notice will require that the driver be suspended for a period of (2) consecutive work days without pay and counsel with the Safety Department to determine why the driver cannot or will not comply with State and Federal Regulations as well as Company Policy.
 - 5. The **fifth point** violation discovered in any subsequent month in the same six-month reporting period will result in the driver being issued a Notice of Termination.

GENERAL SAFETY

Policy

- A. The Company Safety Program is developed and implemented for the primary purposes of protecting employees from personal injury.
- B. The Safety of employees, the public, and the Company are the first and foremost objectives and shall be the prevailing attitude of all personnel employed by this Company.
- C. Employees at all levels are charged with the responsibility to comply with all the safety rules and regulations of government agencies at all levels, i.e. city, county, state, and federal, as well as in-house published rules and regulations.

Implementation

The Director of Safety and Compliance is responsible for the total SAFETY AND HEALTH programs for the Company, and will report directly to the owners of the Company on these matters.

Safety and Accident Prevention Policies and Procedures

Experts and past experience in the field of safety management have proved that the definition of an accident as a "Chance Occurrence" is wrong.

- A. Since records show employees are the greatest cause of accidents in industry, good hiring practices are most important.
- B. The supervisor is the "Key Man" in an accident prevention program. He must develop and motivate safety awareness among employees. He must sell safety by his actions and provide immediate correction and instruction when he observes an unsafe act.

The procedures and policies outlined in safety related instructions are the direct responsibility of all supervisors and must be followed. They should be studied carefully and reviewed frequently to insure full compliance.

Vehicular Accidents and Personal Injuries

- A. Vehicular Accidents
 - 1. All vehicular accidents are immediately reportable to the Director of Safety and Compliance, from the scene of the accident. In the event that the Office is closed, use the phone number from the EMERGENCY PHONE LIST.
 - a) Mauro Torres (209) 663-7418
 - b) Jo Vanotti (209) 649-7481
 - c) Tony Huddleston (209) 337-8309

GENERAL SAFETY

2. Accidents that must be reported include:
 - Another Vehicle.
 - Pedestrian.
 - Windstorm, or hail resulting in vehicle damage.
 - Shifting, loading, unloading of cargo which results in damage to the vehicle.
 - Any fixed object contact, such as power lines, buildings, etc.
 - Any damage to the vehicle from known or unknown sources.

Employee Injuries

1. All employee injuries occurring while on the job must be immediately reported to the Immediate Supervisor and our Safety Department.
2. The Safety Department shall see that the employee is directed or taken to the proper medical facility for treatment.
3. The Supervisor should see that the appropriate Company reports are completed and sent to the Safety Department.

Duties and responsibilities of the Director of Safety and Compliance Pertaining to the Accident Prevention Program

The Director of Safety and Compliance must have the ability to supervise others in order for them to perform in a safe and efficient manner and constantly increase the prestige of the Company through its customer and public relations.

- A. Supervise and enforce the safety practices of all employees of Tiger Lines, LLC.
- B. Interview and process all prospective employees for the Company, following the employment procedures outlined in complete detail in the "Selection and Hiring" section of this manual, promptly send employment records and forms to the personnel department.
- C. Supervise the instruction of each new employee in the proper method of performing their duties in a safe manner.
- D. Supervise the safety responsibilities of all Operations and Maintenance personnel.
- E. Receive and review all accident reports.

GENERAL SAFETY

- F. Interview each employee involved in either a vehicular accident or an on-the-job injury and forward comments to senior management.
- G. Take corrective actions necessary to reduce the frequency of vehicular accidents and on-the-job injuries.
- H. Develop and implement a drug-screening program.
- I. Develop and implement an Awards and Incentive Program.
- J. Work directly with insurance carriers to insure cost containment on liability and workman's insurance.
- K. Keep up-to-date and current driver's qualifications files on all driver employees of the Company.
- L. Conduct and keep records of office, terminal, and shop inspections in accordance with OSHA requirements.
- M. Supervise and instruct drivers and dispatchers regarding all laws, rules, and regulations from the Federal, State and local agencies.
- N. Establish procedures for accident investigation to determine the cause, and develop a record keeping system, which shows type, number, cost and cause.
- O. Work directly with the General Manager in developing and carrying out disciplinary actions for drivers and employees who will not conform to the Company safety practices and policies.

Prevention Program

The dispatcher is in closer contact with the drivers than any other person in a supervisory capacity. A study of the worker's compensation statistics, as well as cargo loss experience shows approximately 80 percent of employee on-the-job injuries and errors in cargo handling occur where it is reasonable to expect close supervision of drivers. Thus, the dispatcher's part in the overall safety program is of the utmost importance. The director of Safety and Compliance must depend upon the Dispatcher's ability and good judgment in handling drivers if on-the-job injuries and accidents are to be controlled.

In addition to the duties of the Director of Safety and Compliance, the Dispatcher must perform the following safety duties and responsibilities.

- A. Report any disagreement or grievance to the Director of Operations immediately. If the grievance involves perceived or actual safety violations, notify the Director of Safety and Compliance immediately.

GENERAL SAFETY

- B. Make certain all drivers under supervision perform their work in a safe manner. Be constantly on the alert for unsafe working conditions and unsafe acts on the part of the employee.
- C. Properly indoctrinate new workers to make certain they understand what they are doing and how to do it safely.
- D. If a worker under supervision is injured on the job, however slightly, follow the procedures set up for handling of on-the-job injuries.
- E. Review vehicle inspection reports as they are turned in by the driver. Screen for unsafe vehicle conditions. Make sure the Director of Maintenance is told of any unsafe conditions detected in the report, and that they are corrected prior to dispatch.

Duties and responsibilities of the Driver Trainers pertaining to the accident prevention program.

It is generally agreed that the better methods of instruction and training of new employees, the sooner they will reach full productivity. Although the length of the training period will depend on the driver's experience, and his familiarity with the location in which he is expected to operate, the following points should be stressed when instructing a new driver:

- A. The Company's interest in, and demand for, a safe operation.
- B. The driver's responsibility to safely operate the vehicle is entrusted to him.
- C. Compliance with Company operating rules.
- D. The driver's responsibility for reporting accidents.
- E. The checking of his vehicle and reporting vehicle defects.
- F. Proper loading and securing of the load.
- G. When explaining the details of the job, point out any hazards and show the employee how the work can be done without being injured.
- H. Explain the Company safety rules, making certain they are carefully understood.
- I. Check employee's performance and correct any unsafe habits observed.

GENERAL SAFETY

- J. Stress the importance of, and demand good housekeeping, and personal hygiene.
- K. Encourage employees to ask for instructions when in doubt.

SEAT BELT POLICY

Purpose

To establish Company policy with regard to the use of seat belts in Company Equipment.

Background

For some time, the Federal Government has taken the position that the wearing of seat belts while transporting interstate freight is mandatory. For an equal amount of time, the California Highway Patrol has promoted the use of seat belts as the single largest "Saver" of lives, in California.

Policy

Whereas there is ample proof that the wearing of seat belts does in fact save lives, and equal proof that the wearing of seat belts does not inhibit driver mobility, or interfere in any other way with driver's abilities to perform their job, the Company hereby establishes Company policy that all employees will at all times when driving or being transported in any Company vehicle, will utilize available seat belts.

Enforcement

Failure to comply with this policy will subject violators to disciplinary actions as deemed proper by and at the discretion of management.

EQUAL OPPORTUNITY EMPLOYMENT

Purpose

This will outline, clarify and establish Company policy as it pertains to EQUAL OPPORTUNITY EMPLOYMENT PROGRAMS.

Policy

The Company is an equal opportunity employer and subscribes to all policies and procedures of said act as established by title VII of the civil rights act of 1964, by executive order 11246 dated September 24, 1965, by the age discrimination in employment act of 1967, by public law 93-112, rehabilitation act of 1973, and section 503 of the California Fair Employment Practice Law.

The Company shall offer all applicants, regardless of Race, Religious Creed, Color, National Origin, Ancestry, Sex, Physical Handicap, or age (40-64), the opportunity to qualify for employment with the Company. If their experience and qualifications meet the corporate requirements for the position in question.

All employees of the Company, regardless of Race, Religious Creed, Color, National Origin, Ancestry, Sex, Physical Handicap, or Age (40-64), will be afforded the same opportunities with respect to lay-off, Rehiring, Recalling, Counseling, Evaluations, and Tenure.

The Company is committed to a policy of hiring handicapped persons providing they are otherwise qualified, and the handicap in the opinion of the examining physician would not interfere with the satisfactory performance of the job. A handicap in this context does not include a disease or deteriorating condition. Before considering a handicapped applicant, discuss the job and the handicap with the doctor, and obtain approval from the General Manager and the Director of Safety and Compliance.

This Affirmative Action Program" endorsed by the Company will be considered as an integral part of the Company policy and will be adhered to on all points stated.

SAFETY MEETINGS

Federal and State Law require that the Company establish a schedule and timetable for holding safety meetings.

The Company has involved segments of its employees through the Employee Involvement Program to determine what the schedule should be for Company safety meetings.

Tiger Lines, LLC. will hold Company Safety Meetings at least semi-annually.

- A. The topics at these meetings will be held principally to Safety issues.
- B. The meetings, unless otherwise directed, will be coordinated by the Director of Safety and Compliance, who will be responsible to the owners for their content.
- C. Meetings may be held on or off premises, and the Company will pay the costs.
- D. The Company realizes that operational commitments will sometimes preclude individuals from attending and therefore will make allowances to reschedule those individuals who miss the meeting. Company Management makes it mandatory for all those people not operationally committed to attend safety meetings.
- E. The Director of Safety and Compliance will contact individuals on a one-on-one basis to ensure understanding of materials covered at the semi-annual Safety Meeting.
- F. The Director of Safety and Compliance will also conduct "Tail Gate" meetings with individuals from time to time to ensure all those issues discussed at the Semi-Annual Meetings were understood and are being complied with.

SELECTION AND HIRING PROCEDURES

Purpose

To set enforceable policy and guidelines for the selection and hiring of drivers and maintenance personnel for Tiger Lines, LLC

Background

History shows us that the majority of all trucking companies "Hire their own problems". At least they hire people who aggravate their problems by not following proved selection and hiring procedures. It is essential that as much be known about the prospective employee as possible before we put him before our customers. Therefore, the following policy will be effective immediately.

Policy

The Company operates under the authority of both the California Code of Regulations and the Federal Motor Carrier Safety Administration – Department of Transportation, hence all driver applicants must be qualified under the regulations of both governing bodies. Applicable Selection and Hiring Procedures are as follows:

- A. A Preliminary Interview will be the first step in selection. This will afford the Company the opportunity to make an initial evaluation of the applicant's qualifications and a means of screening unqualified applicants.
- B. An Application for Employment is the foundation for the selection program. It is required of every person seeking employment. It provides a system for recording background information in many areas of concern to aid in properly evaluating the applicant.
- C. Checking with previous employers is mandatory in the selection and hiring process and is necessary to confirm information given on the employment application and to gain further information on the suitability of the applicant. It is required that the applicant for a driving job provide previous employment history for 10 years. It is required of the employer to make employment history checks for the past 3 years.
- D. A background check with personal references and friends may show applicant's reliability, dependability, stability, etc.
- E. A check of the driving record of driver applicants is required, and must be sought in each state where the applicant has held a license in the preceding three years.
- F. A required check with all previous employers for the previous three years is required by CFR 49 Part 382 for specific information regarding participation in Drug and Alcohol screening as well as any positive test results.

- G. A planned interview, more extensive than the initial interview, dealing with the applicants' background with reference to information obtained from the application and other sources coupled with a preliminary review of job duties, and Company policies and rules should be the next step.
- H. The applicants' driving ability must be checked. The Company has "Qualified Driver Trainers" who will accompany applicants on Road Tests, and Student Runs in order to evaluate ability, potential and attitude. Driver Trainers will make both oral and written reports to the Director of Safety and Compliance.
- I. Physical qualifications of drivers are set forth in the Federal Motor Carrier Safety Regulations. Each driver applicant must show evidence of having passed a Department of Transportation physical examination.
- J. There are further medical checks required by the Company. The Company has in place a Pre-employment Physical and Job Placement Assessment (JPA) policy. This policy provides that the applicant must be seen at the clinic under contract with the Company and pass a DOT physical examination and JPA. These exams are paid for by the Company (see section on pre-employment physical). This Company also requires a negative drug screen prior to employment, (see section on drug – screen).

Physical Examinations

- A. Purpose – To ensure compliance with Federal Motor Carrier Safety Regulations Part 391.1 through 391.4 in requiring all drivers to show physical qualifications for that position.
- A. Policy – The Company will require all selected permanent and full-time drivers to submit to a Pre-employment DOT physical. The company will also require all Non-DOT employees who work in a safety sensitive position to submit to a Pre Employment basic physical. Tiger Lines, LLC. is contracted with a licensed Industrial Medical Clinic to provide this service, and the Company will pay all costs for the same.
- B. Pre-Employment Drug Screen – Effective January 1, 1991 the Federal Motor Carrier Safety Regulations part 382 was revised to include a negative drug screen as part of the physical qualifications of drivers. Accordingly, the Company has included pre-employment drug screening as part of the selection and hiring process.
- C. Non-Driver pre-employment drug screens – The Company, realizing the gravity of the effects of drug use in the workplace has expanded the pre-employment drug screen requirement to include applicants for mechanics, maintenance positions and clerical. These will be done as a “Non-Regulated” drug screen.

The Director of Safety and Compliance is responsible to ensure that this policy is carried out and all appointments will be made by the Safety Department.

Bi-annual DOT Re-certification

To ease the burden on the driver and to remain in compliance with Federal Motor Carrier Safety Regulations part 391, the Company has entered into a contract with a licensed Industrial Medicine Clinic to provide Bi-Annual DOT physical re-certification for our permanent and full-time drivers.

The Company will pay for all costs associated with this re-certification.

The Director of Safety and Compliance is responsible to keep driver's qualification files up to date and therefore will make appointments as necessary for Bi-annual DOT re-certifications.

DRUG AND ALCOHOL TESTING POLICY

U.S. Department of Transportation Regulated Employees

In accordance with the United States Department of Transportation, Procedures for Transportation Workplace Drug Alcohol Testing Program as set forth in 49 CFR Part 40 and the Department of Transportation, Controlled Substance and Alcohol Use and Testing Part 382.

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

1. PURPOSE

- 1.1 **Tiger Lines, LLC.** is committed to protecting the safety, health and well-being of its employees and the general public from the adverse effects of drug and alcohol abuse. This commitment extends to vehicle operators who perform safety- sensitive functions regulated by the Federal Motor Carrier Safety Administration (FMCSA) rules on drug and alcohol abuse on behalf of **Tiger Lines, LLC.** Consistent with this commitment, it is the policy of **Tiger Lines, LLC.** to provide a workplace free of drugs and alcohol.
- 1.2 This Drug and Alcohol Policy for DOT-Regulated Drivers (Policy) sets forth the U.S. Department of Transportation (DOT Part 40, as amended) drug- and alcohol-testing requirements for drivers who perform safety-sensitive functions regulated by the DOT. This Policy also includes certain additional policies with respect to the use of alcohol and drugs, which are based upon **Tiger Lines, LLC.** authority independent of the DOT regulations; such policies appear in ***bold italic*** type. **Tiger Lines, LLC.** reserves the right to modify this Policy with or without advance notice to drivers.
- 1.3 Any questions regarding this Policy should be directed to the Designated Employer Representative (DER):

<u>Jo Vanotti</u>	<u>(209)367-3226 or 209-649-7481</u>
Designated Employer Representative	Telephone

2. OVERVIEW

- 2.1 This DOT Policy describes the substance abuse prohibited by the DOT, the DOT mandatory drug- and alcohol-testing requirements for covered drivers, and the consequences of violating the regulations and/or failing DOT-required drug and/or alcohol tests.
- 2.2 ***Tiger Lines, LLC. strictly prohibits the use or possession of any amount of alcohol or non-prescribed controlled substances, including prescription drugs for which a driver/employee does not have a valid prescription, while on Company time, on Company property, or in a Company vehicle. Tiger Lines, LLC. also strictly prohibits a driver/employee from reporting for work with a detectable amount of alcohol or controlled substances in his/her system.***
- 2.3 ***Any covered driver/employee who violates the DOT regulations and company policy governing drug and alcohol abuse and testing and/or any provision of this Policy will be subject to discipline including termination, even for a first offense. Job applicants in violation of this Policy will be denied employment.***
- 2.4 **Positive Drug Test-** The consequences of a positive drug test or a test refusal are as follows: the employee will immediately be removed from safety sensitive duties, referred to a SAP ***and terminated from employment.***

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

- 2.5 **Positive Alcohol Test-** The consequences of a positive alcohol test or a test refusal are as follows: the employee will immediately be removed from safety sensitive duties, referred to a SAP **and terminated from employment.**

3. RESPONSIBILITY

All drivers/employees are encouraged and expected to report to their supervisor any information regarding the use of controlled substances, alcohol, or any other substance which may affect an individual's safe performance of his or her job responsibilities.

4. DEFINITIONS

- 4.1 **Alcohol** -- Means ethyl alcohol and includes any beverage or medicine containing ethyl alcohol.
- 4.2 **Commercial Motor Vehicle (CMV)** -- A commercial motor vehicle means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle: (i) has a gross combination weight rating of 26,001 or more pounds, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; (ii) has a gross vehicle weight rating of 26,001 or more pounds; (iii) is designed to transport 16 or more passengers, including the driver; or (iv) is of any size and is used in the transportation of hazardous materials requiring placarding under federal law.
- 4.3 **Controlled Substances** -- In this Policy, the term refers to any drug regulated under the Federal Controlled Substances Act, and includes drugs available only by prescription.
- 4.4 **On-Duty and Duty** – For purposes of the DOT regulations, these terms cover any and all time engaged in safety-sensitive functions. ***From a Company perspective, these include all time performing any work for Tiger Lines, LLC.***
- 4.5 **Performing a Safety-Sensitive Function** -- A driver is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.
- 4.6 **Prohibited Drugs** -- Those drugs (and such metabolites) for which **Tiger Lines, LLC.** must test pursuant to DOT regulations, include marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).
- 4.7 **Refusal-to-Test** -- A refusal to take a drug or alcohol test includes:

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

- (i) Failure to appear for a test within a reasonable time period, as determined by **Tiger Lines, LLC.**, after being directed to do so.
- (ii) Failure to remain at the test site until the testing process is complete once the process has begun.
- (iii) Failure to provide a urine specimen for any drug test required under the DOT rules.
- (iv) Failure to permit monitoring and observation in the case of a directly monitored or observed collection
- (v) Failure to provide a sufficient amount of urine (when there is no adequate medical explanation for the failure)
- (vi) Failure to take an additional test when required to do so by **Tiger Lines, LLC.** or the collector;
- (vii) Failure to undergo a medical examination or evaluation directed by MRO or DER under the DOT rules.
- (viii) Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by collector);
- (ix) Submission of a verified adulterated or substituted test result.
- (x) For an observed collection, fail to follow the observer's instructions to raise your clothing above the waist, lower clothing, and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- (xi) Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- (xii) Failure to attempt to provide a saliva or breath specimen.
- (xiii) Failure to provide a sufficient breath specimen (when there is no adequate medical explanation for the failure); and/or
- (xiv) Failure to sign the certification at Step 2 of the ATF.

A refusal to submit to a DOT-mandated drug and/or alcohol test is a violation of the DOT regulations and carries the same consequences as a positive test.

A refusal-to-test will subject a driver to discipline as described in Section 2.3 of this

Policy.

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

4.8 Safety-Sensitive Functions -- Safety-sensitive functions include:

- (i) All time waiting to be dispatched, unless the driver has been relieved from duty by **Tiger Lines, LLC**.
- (ii) All time inspecting equipment or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.
- (iii) All time spent at the driving controls of a commercial motor vehicle in operation.
- (iv) All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.
- (v) All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- (vi) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

4.9 Category of Drivers Subject to DOT Policy

Class A Driver/Operator

5. PROHIBITIONS AND CONSEQUENCES

5.1 Any violation of this Policy will result in:

- (i) Immediate removal from safety-sensitive functions.
- (ii) Referral to a Substance Abuse Professional (SAP) (as discussed below in Section 9);
- (iii) ***Disciplinary action as a matter of Company policy (as discussed above in Section 2.3-2.5);*** and/or
- (iv) Possible disqualification from performing DOT-regulated functions.

5.2 The DOT regulations and **Tiger Lines, LLC** strictly prohibit the following:

5.2.1 Alcohol concentration: The DOT regulations prohibit DOT-regulated drivers from reporting for duty, remaining on duty, or being immediately available for duty requiring the performance of safety-sensitive functions while having an alcohol concentration of .04 or greater in his/her system. Violations of this rule will result in the consequences described in Section 5.1 above.

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

Any driver who reports for duty, remains on duty, or is available for duty, and who tests positive for alcohol at a concentration of .02 to .039, shall be immediately removed from safety-sensitive employment for twenty-four (24) hours *or* until the driver's next regular duty period, whichever is longer, **and may be subject to discipline in accordance with Section 2.3**

above. If the driver is permitted to return to safety-sensitive employment, he/she must receive a result of less than .02 on an alcohol test before returning to such employment.

Pursuant to California law, any driver found to have an alcohol concentration of .01 or greater shall be removed from service for twenty-four (24) hours, **and also may be subject to discipline in accordance with Section 2.3 above. If the driver is permitted to return to safety-sensitive employment, he or she must receive a result of less than .01 on an alcohol test before returning to such employment.**

5.2.2 On-duty use: No DOT-regulated driver shall use or consume alcohol while performing safety-sensitive functions. Violations of this rule will result in the consequences described in Section 5.1 above.

5.2.3 Pre-duty use: No DOT-regulated driver shall perform safety-sensitive functions within four (4) hours of using alcohol. Violations of this rule will result in the consequences described in Section 5.1 above.

5.2.4 Use following an accident: No DOT-regulated driver who is required to take a post-accident alcohol test as set forth below shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first. Violations of this rule will result in the consequences described in Section 5.1 above.

5.2.5 Refusal to submit: No DOT-regulated driver shall refuse to submit to an alcohol or drug test required by the DOT regulations. Violations of this rule will result in the consequences described in Section 5.1 above.

5.2.6 Controlled substances use: A DOT-regulated driver may *not* report for duty or remain on duty requiring the performance of any safety-sensitive function if the driver uses *any* controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to operate a commercial motor vehicle safely. Drivers must report prescription drug use to **Tiger Lines, LLC** as permitted by 49 CFR § 382.613. Violations of this rule will result in the consequences described in Section 5.1 above; and

5.2.7 Drug Testing: A DOT-regulated driver may *not* report for duty, remain on duty, or perform a safety-sensitive function if he or she has a verified positive, adulterated, or substituted test result. Violations of this rule will result in the consequences described in Section 5.1 above.

DRUG AND ALCOHOL TESTING POLICY

DOT Regulated Employees

5.2.8 Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected MUST be reported to supervisory personnel. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

Any time an employee comes forward about a medication that he/she is taking the information must be forwarded to the DER for clarification and review.

A legally prescribed drug means that the employee has a prescription or other written approval (in his/her name) from a physician for the use of a drug in the course of medical treatment. The misuse of legal drugs while performing a safety-sensitive function is prohibited at all times.

In order to continue performing a safety-sensitive function the employee taking the medication will be required to provide the following:

A written letter from the prescribing physician stating the patient's name, the name of the substance, the period of authorization and a statement that the medication will not adversely affect the employee's performance to drive or perform his/her safety sensitive function and that the employee may continue to perform his/her safety-sensitive function while taking such medication. The letter must be signed and dated by the physician and the letter will be provided to the DER for final approval.

6. TESTING: WHEN TESTING IS REQUIRED

6.1 The DOT regulations require testing of DOT-regulated drivers in the following six circumstances:

6.1.1 Pre-Employment/Pre-Use Testing: Prior to the first time a driver performs safety-sensitive functions for **Tiger Lines, LLC.**, the driver will undergo testing for prohibited drugs. The regulations require an individual to receive a negative drug test result in order to begin covered employment. This requirement also applies whenever a driver is transferred to a DOT- covered position.¹ **For job applicants, a failure to receive a negative test result will result in the rejection of the employment application.**

6.1.2 Non Regulated Pre Employment Testing: **It is Tiger Lines, LLC. policy to conduct Non-DOT pre-employment drug tests on all non safety-sensitive employees/applicants that do not perform safety-sensitive**

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functions. No applicant will be hired if he or she does not pass a non-regulated pre-employment drug test.

- 6.1.3 Pre Employment Drug Test After 30 Days:** All covered employees that have not performed a safety sensitive function for 30 days or more AND the covered employee has been taken out of the random testing pool the covered employee will be required to take a DOT pre-employment drug test before he/she can perform his/her safety-sensitive driving functions.

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There are very limited exceptions to the pre-employment testing requirements for drivers who have been part of another employer's DOT random testing pool during the prior six (6) months and have not violated any DOT regulations regarding alcohol or controlled substances.

- 6.1.4 Post-Accident Testing:** Post-accident drug and alcohol testing is required for DOT-regulated drivers if:

- (1) The accident involves a human fatality.
- (2) There is an injury requiring off-site medical attention *and* the driver receives a citation under state or local law for a moving traffic violation arising from the accident; or
- (3) Any vehicle sustains disabling damage, *and* the driver receives a citation under state or local law for a moving traffic violation arising from the accident.

Each surviving driver who was performing safety-sensitive functions with respect to the vehicle involved in the accident must be tested. Tests must be administered as soon as practicable following the accident. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by **Tiger Lines, LLC.** to have refused to submit to testing.

Specific instructions regarding DOT post-accident testing are attached as Appendix A. You are encouraged to keep a copy of Appendix A with you for reference in the event of an accident.

- 6.1.4 Non Regulated Post-Accident Testing:** *If an employee is in an accident that does not meet the FMCSA's criteria for a DOT post-accident test, Tiger Lines, LLC. will require the employee to take a non-regulated post-accident test under Tiger Lines, LLC. independent authority. Tiger Lines, LLC. will require a non-regulated drug and alcohol test when:*

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- 1. Any employee is involved in a moving vehicle accident on the public roadway/ highway or customer facility.**
- 2. When any employee damages company property or equipment.**

If you are involved in any accident while performing work for Tiger Lines, LLC. regardless of its severity, Tiger Lines, LLC. expects you to notify the Director of Safety and DER as soon as practicable.

6.1.5 Random Testing: Drivers covered by the DOT regulations are subject to unannounced random drug and alcohol testing. Selection for testing will be made by California Drug Testing Associates, our outside testing administrator, using a scientifically valid method such as a random-number table, or a computer based random-number generator that is matched with a driver's Social Security, payroll identification, or other comparable identifying numbers. Each driver will have an equal chance of being selected each time selections are made. Random tests will be spread reasonably throughout the calendar year.

When a driver is notified that he or she has been selected to take a random alcohol and/or drug test, the driver must proceed to the test site immediately; provided, however, that if the driver is performing a safety-sensitive function at the time of notification, **Tiger Lines, LLC.** will ensure that the driver ceases to perform the safety sensitive function and then proceeds to the test site as soon as possible. A driver will be randomly tested for alcohol only while the driver is performing or ready to perform safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

6.1.6 Reasonable Suspicion Testing: DOT-regulated drivers are subject to drug and/or alcohol testing whenever they are reasonably suspected of using a prohibited drug or of misusing alcohol in violation of DOT regulations. **Tiger Lines, LLC.** will base its determination that reasonable suspicion exists on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the individual. Reasonable suspicion determinations shall be made by a supervisor who is trained in detecting the symptoms of drug abuse or alcohol misuse. DOT-mandated reasonable suspicion testing will be performed only if the reasonable suspicion determination is made just before, during, or just after the driver performs or is available to perform safety-sensitive functions.

6.1.7 Return-to-Duty Testing and Follow Up Testing: **Tiger Lines, LLC. has a "zero" tolerance policy. Therefore, any employee who tests positive for drugs or alcohol or who refuses to take a drug or alcohol test will immediately be removed from safety sensitive duty and referred to the SAP and terminated.**

Return to work testing is at the sole discretion of Tiger Lines, LLC. and only after the recommendation of the Substance Abuse Professional.

In the event of a positive screen for drugs or alcohol, the employee, by law must be referred to a Substance Abuse Professional for evaluation and treatment. After the evaluation and treatment have been accomplished, and at the

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recommendation of the “SAP”, the employee may submit a request to the company to be re-tested under the “Return-toWork” schedule. The Company retains the right to review each such request and accept or reject it on a case-by-case basis.

- 6.1.8** *Follow-UP: In the event that ‘Return-to-Work testing is recommended by the “SAP” and accepted by the Company, the employee will test a at a minimum of 6 times during the first 12 months or t*

7. TESTING: PROCEDURES

7.1 Testing for Alcohol

- 7.1.1** Alcohol testing is performed by testing a breath or saliva sample as an initial test. Initial tests that are positive (.02 or above) will be confirmed using an evidential breath-testing (EBT) device. The detailed procedures for Dot mandated alcohol testing of drivers are attached as Appendix C.
- 7.1.2** A breath-alcohol technician (BAT) who has completed a course of instruction in the operation of an EBT device will conduct all breath- alcohol tests. That training includes training in the principles of EBT methodology, operation and calibration checks, the fundamentals of breath analysis for alcohol content, and the procedures for obtaining a breath sample and interpreting and recording EBT results.
- 7.1.3** Screening tests using a saliva test may be performed. Only qualified Screening Test Technicians (STT) will administer saliva-based alcohol tests.
- 7.1.4** Law enforcement officers who have been certified by state or local governments to conduct breath-alcohol testing are deemed to be qualified as BATs.
- 7.1.5** **Tiger Lines, LLC.** will use an EBT device that meets all requirements set forth in the DOT regulations.
- 7.1.6** Breath testing normally will be conducted in a location that affords visual and aural privacy to the person being tested sufficient to ensure that unauthorized persons cannot see or hear test results. If a breath test is requested following a reasonable suspicion determination, the supervisor who made that determination will not conduct the test.

7.2 Testing for Prohibited Drugs

- 7.2.1** Testing for prohibited drugs will be performed by testing a urine sample provided by the individual at a collection site. The detailed procedures for urine collection for DOT-mandated drug testing are attached as Appendix B. After the collector has collected a sample, split the sample, and secured the sample as described in Appendix B, the sample (both containers) will be sent to a laboratory which has been certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) to conduct workplace drug testing.

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- 7.2.2** The laboratory will perform an initial immunoassay test, and if that test is positive, the positive result will be confirmed using a method called gas chromatography/mass spectrometry (GC/MS).
- 7.2.3** A Medical Review Officer (MRO) will review presumptive positive test results and will engage in reasonable attempts to contact the driver to discuss possible medical reasons for such results *before* verifying the test as positive and informing **Tiger Lines, LLC.** of the positive test result.
- 7.2.4** If the test is confirmed positive, a driver can request a test of the “split” sample (second container) within 72 hours of receiving notification of the test result. If the driver requests, the split sample will be tested at the driver’s expense at another laboratory certified by SAMHSA. However, a request for a test of the split specimen will not delay verification of the first test result.
- 7.2.5** If the laboratory detects that the sample has been adulterated or substituted, the laboratory will report that determination to the MRO. The MRO will make reasonable attempts to contact the driver to discuss legitimate reasons for the result before verifying the test as a refusal-to- test and informing **Tiger Lines, LLC.** of that result.
- 7.2.6** If the test is confirmed as negative, but dilute, **Tiger Lines, LLC.** shall require the job applicant or driver immediately and without prior notice to submit to another test. In some cases, the MRO may require the retest to be performed under “Direct Observation.” Each employee directed to take another test will be given the minimum possible advance notice that he or she must go to the collection site to take another test.

Any employee that is directed to take another test, the result of the second test – not that of the original test – becomes the test of record which Tiger Lines, LLC. will rely on for purposes of this policy. Any employee who takes another test and the second test is also negative and dilute will not be required to take a third test because the second test was also dilute. Any employee who is directed to take another test and the employee declines to do so, shall be considered that the employee has refused the test for purposes of this policy and DOT agency regulations. (A positive dilute result is positive regardless of dilution).

Dilute Specimen- A specimen with creatinine and specific gravity values that are lower than expected for human urine.

8. CONSEQUENCES OF A POSITIVE RESULT OR REFUSAL-TO-TEST

- 8.1** Any driver who tests positive for alcohol at a level of .04 or greater, receives a verified positive test result for prohibited drugs, or refuses to submit to testing, will be removed immediately from safety-sensitive employment and referred to a Substance Abuse Professional for evaluation, as required by the DOT rules. ***In addition, drivers will be subject to disciplinary action including immediate termination (see section 2.3-2.5, above.)***

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8.2 *Zero Tolerance Policy*

Tiger Lines, LLC. "Zero" Tolerance Policy means that any employee or applicant that tests positive for any drug or alcohol test (in accordance with the thresholds of DOT Part 40) will be immediately terminated and/or not hired.

9. DRIVER ASSISTANCE RESOURCES

9.1 If a driver is concerned about his or her use of alcohol or controlled substances, it is the driver's responsibility to seek assistance. **Tiger Lines, LLC.** will provide confidential referrals to outside professional counselors and programs, or a driver may seek assistance from available programs in the community. Many health insurance plans offer coverage to defray the costs of rehabilitative services. Expenses in excess of that coverage must be borne by the employee. In some instances, the driver may be eligible for a leave of absence to pursue rehabilitation.

9.2 When any DOT-regulated driver has engaged in prohibited conduct, the driver will be referred to a Substance Abuse Professional (SAP) for evaluation. The SAP will determine what assistance the driver needs in resolving problems associated with alcohol misuse and prohibited drug use and prescribe a program of education and/or treatment. Each driver shall be monitored by the SAP to determine if the driver has properly followed any prescribed education and/or treatment program. A driver who has violated the FMCSA regulations must be evaluated by an SAP and follow any recommended course of treatment to be eligible to work in any DOT-regulated employment again. The driver may not take a return-to-work drug and/or alcohol test until the SAP authorizes him or her to do so.

9.3 Job applicants who fail a pre-employment test or refuse to comply with the pre-hire testing process are prohibited from performing safety-sensitive work and will be provided with SAP contact information.

9.4 Some Effects of Misuse and Abuse

The cost of substance abuse and alcohol misuse is growing each day in our society, the workplace, the family and with individuals. Most homicides are committed by people who use drugs or alcohol prior to the crime. Many Americans will be involved in an alcohol-related accident during their lifetime. The medical costs of illnesses related to controlled substance misuse and abuse are overwhelming. Each year thousands of people will die due to alcohol-caused liver disease. Several more thousand will die due to alcohol-induced brain disease or suicide.

Symptoms of Substance Abuse Problems:

Tardiness	Alcohol odor on breath
Overreaction to real or imagined criticism	Mood swings
Borrowing money from coworkers	Subject of complaints from clients or co-workers
Avoidance of associates	Stealing small items from co-workers/employers
Lowered job efficiency	Confusion
Difficulty in concentration	Accidents on the job
Absenteeism	Leaving work early

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Excessive sick leaves

Frequent unscheduled short-term absences

(See Appendix A for “Signs and Symptoms of Prohibited Drugs”)

Employees also create liabilities for their employers, such as:

- I. Direct and measurable costs, such as the additional health care benefits claimed by substance abusers.
- II. Less tangible and difficult-to-measure costs, such as the negative impact on employee morale or the diminished creativity of substance-abusing employees.
- III. Potential costs or “liabilities,” such as the potential costs of a lawsuit filed by an injured party after an accident caused by an impaired employee.
- IV. Potential damage to company image and reputation due to a substance abusing employee and his/her actions.

These costs arise because of the effects of substance abuse in many areas, including:

- Employee Health
- Productivity

- Decision-Making
- Security
- Safety
- Employee Morale
- Image of Company

Tiger Lines, LLC has several components in place to promote a drug-free workplace and comply with DOT and FMCSA regulations. They are the following:

- A Controlled Substance and Alcohol Misuse policy with procedures.
- Training for all employees with supervisory responsibilities for “Reasonable Suspicion” determinations
- Information of local Substance Abuse Professionals (SAP)

10.1 Information regarding the dangers of drug abuse and alcohol abuse will be provided periodically by **Tiger Lines, LLC**. If any driver has questions about drug abuse and alcohol misuse, he or she should contact the Designated Employer Representative (DER).

10.2 Tiger Lines, LLC. will ensure that supervisors are trained, as required, to implement and comply with the requirements of the DOT regulations.

11. CONFIDENTIALITY

DRUG AND ALCOHOL TESTING POLICY

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- 11.1** Information relating to driver compliance with this Policy will be kept confidential and disseminated only within **Tiger Lines, LLC.** to those with a need to know, or to the DOT in accordance with the regulations. Information will be released to other people or entities only at the specific written request of the driver.
- 11.2** Notwithstanding the foregoing, **Tiger Lines, LLC.** may release information about a driver's compliance with this Policy to the National Transportation Safety Board (NTSB) as part of an accident investigation upon written request; to a decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the driver and arising from a positive drug or alcohol test or a refusal-to-test; or as otherwise may be required by law.

12. OBLIGATION TO CONTACT PRIOR EMPLOYERS

- 12.1** Before an applicant or employee will be permitted to perform any DOT-regulated safety sensitive functions for the first time for **Tiger Lines, LLC.**, **Tiger Lines, LLC.** is obligated to request information regarding whether the individual has, in the past three (3) years, participated in a DOT-mandated drug and alcohol testing program, tested positive for prohibited drugs, had an alcohol test with a concentration of .04 or greater, refused to be tested, or otherwise violated any DOT drug and alcohol rule, by conducting a pre-employment query through the FMCSA clearinghouse website.
- 12.2** **Tiger Lines, LLC.** cannot use a driver to perform safety-sensitive functions if **Tiger Lines, LLC.** obtains information from the clearinghouse confirming the driver is prohibited from use. This will advise if the driver has a positive alcohol test with a result of .04 or greater, verified positive drug test result, refusal to be tested, or other violation of DOT drug and alcohol rules, *unless* the driver also provides information regarding his or her successful completion of treatment recommended by a Substance Abuse Professional, and confirmation that the driver successfully completed any additional return-to-duty requirements, including education, treatment, return-to-work and follow-up tests.
- 12.3** In order for **Tiger Lines, LLC.** to obtain the required information, the individual will be required to complete and sign a written request and consent to release information through the FMCS clearinghouse. Upon hire a full query will be conducted and each year thereafter for the duration of employment a limited query will be run. **Tiger Lines, LLC.** without written authorization for such release of information will not be considered for employment as a driver with **Tiger Lines, LLC.** Attached as Appendix D is a Release of Information to assist in the compilation of this information.
- 12.4** Individuals also will be asked whether they have tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the individual applied for, but did not obtain, safety-sensitive DOT-regulated employment in the past three (3) years.

13. ACKNOWLEDGEMENT OF RECEIPT

The DOT regulations require that each driver sign a statement certifying that he or she has received a copy of this DOT Policy, including the Appendices.

DRUG AND ALCOHOL TESTING POLICY
DOT Regulated Employees

Accordingly, please sign the Acknowledgement of Receipt attached as Appendix E and return the original to the Designated Employer Representative.

You may keep a copy for your own records if you so desire.

END

DESIGNATED EMPLOYER

REPRESENTATIVE (DER)

Jo Vanotti

MEDICAL REVIEW OFFICER

Dr. Brian N. Heinen _____

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APPENDICES

<i>APPENDIX A.....</i>	<i>SIGNS AND SYMPTOMS</i>
<i>APPENDIX B.....</i>	<i>POST-ACCIDENT DRIVER INSTRUCTIONS</i>
<i>APPENDIX C.....</i>	<i>DRUG TEST INSTRUCTIONS</i>
<i>APPENDIX D.....</i>	<i>ALCOHOL TEST INSTRUCTIONS</i>
<i>APPENDIX E.....</i>	<i>ACKNOWLEDGEMENT OF RECEIPT</i>

APPENDIX A

SIGNS AND SYMPTOMS OF PROHIBITED DRUGS

1. **AMPHETAMINES** (methamphetamine, ecstasy) are central nervous system stimulants that tend to make people “hyper or jumpy”. They are often used by drivers to stay awake and to counteract the effects of drowsiness, and are especially dangerous to take while driving. They are taken either orally or injected.

Signs and Symptoms: hypersensitivity, exhaustion, dilated pupils, grinding teeth, sweating, loss of appetite, dry mouth, excessive talking.

Effects on Driving: impaired judgment, more likely to take risks, delayed reaction time, tendency to over-steer or over-brake, impaired coordination.

2. **COCAINE** is a stimulant to the central nervous system and gives the user an intense feeling of well-being or euphoria. A more potent form of cocaine is “crack cocaine” which is especially dangerous, addicting, and can cause death the first time it is used. Cocaine is used by inhaling, injecting or snorting.

Signs and Symptoms: mood swings, weight loss, depression, nosebleeds, bad breath, restlessness, irritability, euphoria, uncontrollable sniffing.

Effects on Driving: slowed reaction time, distorted vision and depth perception, unable to measure time and distance accurately.

3. **MARIJUANA** is a depressant and mind altering drug that causes hallucinations in the brain. Impairment of reflexes and thought processes can last more than 24 hours after use. When taken with alcohol, the effects of both are magnified greatly. Marijuana is either smoked or eaten.

Signs and Symptoms: dilated pupils, giddiness, mood swings, slowed reflexes, slowed thinking, short-term memory loss, and reduced concentration.

Effects on Driving: slowed reaction time, driving slower than speed limit, slows driver’s reflexes, poor concentration, impaired visual tracking and depth perception.

4. **OPIATES** are classified as a narcotic analgesic that tends to have a sedating, calming effect, and act as a depressant to the central nervous system. Opiates are prescribed for pain relief by doctors, however the abuser will use the drug to relax and escape. Some opiates have serious side effects such as nervousness, nausea and restlessness. Opiates are taken either orally, injected, or smoked.

Signs and Symptoms: mental confusion, memory loss, slurred speech, hostility, drowsiness, depression, euphoria, and reduced feeling of pain.

Effects on Driving: lack of concentration, distorted vision and distorted sense of time and distance.

5. **PHENCYCLIDINE (PCP)** is commonly called “Angel Dust” and is a disassociative anesthetic. Users of PCP may experience hallucinations, confusion, and lack of coordination with long-term effects of psychotic behavior with violent acts. PCP may be smoked, snorted, or injected.

Signs and Symptoms: delusions, confusion, panic, anxiety and increased blood pressure.

Effects on Driving: impaired coordination, more likely to take risks, and aggressive actions with vehicle.

6. **ALCOHOL** is a socially accepted drug, however as a depressant it slows down physical responses and progressively impairs mental functions. When it is consumed for its physical and mood altering effects, it is a substance of abuse. Long-term abuse causes fatal organ diseases, cancer, decreased sexual functioning and birth defects. Impairment is related to many factors including: gender, body size and weight, being healthy, rested vs. tired and even location (altitude).

Signs and Symptoms: slowed reaction rate, slurred speech, odor of alcohol on breath, lack of coordination, dulled mental processes.

Effects on Driving: blurred vision, slowed reaction times, impaired judgment, aggressiveness, and drowsiness.

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APPENDIX B

POST-ACCIDENT DRIVER INSTRUCTIONS

Post-accident testing for alcohol and prohibited drugs is required by DOT regulations under various circumstances.

The DOT regulations require surviving drivers to submit to post-accident alcohol and drug testing as soon as practicable following an occurrence involving a commercial motor vehicle operating in commerce, if:

- (A) The driver was performing safety-sensitive functions and the accident involved the loss of human life; *or*
- (B) The driver received a citation under State or local law for a moving traffic violation arising from the accident, *and* the accident involved:
 - (1) Bodily injury to any person who, as a result of the injury, immediately received medical treatment away from the scene of the accident; *or*
 - (2) One or more motor vehicles incurred disabling damage as a result of the accident, which required the motor vehicle(s) to be transported away from the scene by tow truck or other motor vehicle.

Tests are *not* required, however, if the occurrence involves only entering or exiting a stationary motor vehicle, or involves only the loading or unloading of cargo.

The following table shows when a DOT-mandated test must be performed:

Type of Accident Involved	Citation Issued to the CMV Driver	Test Must Be Performed
Human Fatality.....	Yes No	Yes Yes
Bodily injury with immediate medical treatment away from the scene	Yes No	Yes No
Disabling damage to any motor vehicle requiring tow-away.....	Yes No	Yes No

Drivers who are subject to post-accident testing shall remain readily available for such testing or they may be deemed by **Tiger Lines, LLC.** to have refused to submit to testing. However, necessary medical attention for injured people following an accident should be secured first, and if necessary, a driver may

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leave the scene of the accident in order to obtain assistance in responding to the accident, or to obtain emergency medical care.

Drug and alcohol tests performed by Federal, State, or local officials having independent authority to conduct the tests shall be considered to meet these requirements if they are performed in accordance with applicable regulations and the results are made available to **Tiger Lines, LLC**.

Please contact Mauro Torres/Jo Vanotti as soon as possible following an accident of any severity, in part to determine if post-accident drug and alcohol tests are required.

DRUG TEST INSTRUCTIONS AND COLLECTION PROCEDURES

- When you arrive at the collection site, please give the site personnel your Company issued notice.
- You must present a photo I.D., such as a driver's license, to the collection site staff. You may ask the collector to show you his or her identification.
- You will be required to remove and check outer garments and other personal items with the collection site staff. You may retain your wallet.
- Prior to giving your specimen you will be asked to wash and dry your hands.
- You are required to give at least forty-five (45) milliliters of urine. If you have a problem giving this amount, you may ask or be asked to drink fluids.
- Normally, you will be permitted to submit your specimen in privacy. However, you automatically waive your right to privacy, and may also be required to submit a second specimen, if:
 1. You present a specimen that is outside the temperature measurement;
 2. The collector observes you attempting to adulterate, substitute, or otherwise tamper with your specimen;
 3. Your last specimen was determined to have been invalid; or
 4. Your last specimen was positive, adulterated, or substituted, but had to be canceled because the test of the split specimen could not be performed.
- Your specimen will be collected in an appropriate leak-proof collection container, which will be provided to you at the collection site.
- The urine will then be poured into two specimen bottles and sent to the testing laboratory.

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- The first specimen bottle, containing at least thirty (30) milliliters of urine, will be analyzed by the testing laboratory as your primary specimen.
 - The second specimen bottle, containing at least fifteen (15) milliliters of urine, will be held by the laboratory so that, in the event the primary specimen is verified as positive, the second bottle can be sent to another laboratory for analysis, if you request it.
-
- After giving the specimen, the collector will seal and label the bottles in your presence.
 - You will then be asked to initial the containers; you should keep the container in full view at all times until it is properly sealed and labeled.
 - You will then be given a multi-part Custody and Control Form. Complete it as directed and sign it. You should retain the Employee copy for your records. On the back of that copy, you may also wish to note any medications you are currently using.
 - Your containers, together with your completed Custody and Control Form, will then be sent to a SAMHSA certified laboratory to be analyzed.

A refusal to be tested, or a positive test, will subject you to certain consequences under the DOT regulations, as well as possible disciplinary action under **Tiger Lines, LLC.** drug and alcohol testing policy.

ALCOHOL TEST INSTRUCTIONS AND COLLECTION PROCEDURES

When you arrive at the collection site, please give the site personnel your Company issued notice, which includes your Company I.D.#.

Your alcohol test will be administered by a trained Breath Alcohol Technician (BAT), who will explain the testing procedure to you.

You must present a photo I.D., such as a driver's license, to the BAT. Your failure to provide a photo I.D. will be considered by **Tiger Lines, LLC.** to be a refusal to be tested. You may ask the BAT to show you his or her identification.

Before your breath alcohol test is taken, you will be required to execute a "Breath Alcohol Testing Form". Your refusal to properly complete and sign this form as required will be considered as your refusal to submit to the test.

Your test will be conducted using an evidential breath-testing device (EBT), which has been approved by DOT.

An individually sealed mouthpiece will be opened in your presence by the BAT and attached to the EBT. You will then be required to blow forcefully into the mouthpiece until the EBT indicates that an adequate amount of breath has been obtained: normally this would be for at least six (6) Seconds.

In the event that you are unable to provide an adequate amount of breath for the initial or confirmatory test after several attempts to do so, you will be required to submit to an evaluation by a licensed medical

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physician to determine whether a valid medical condition exists. If the physician determines that a valid medical condition does exist, the test result will be reported to **Tiger Lines, LLC.** as "negative". If the physician determines that a valid medical condition does not exist, the test result will be reported to **Tiger Lines, LLC.** as a "confirmed positive".

If your initial test measures an alcohol concentration of 0.02 or greater, you must submit to a confirmation test. This test is to be performed at least fifteen (15), but no more than thirty (30), minutes after the first test was performed.

If the results of your initial and confirmation tests are not identical, the results of the confirmation test will be considered the final result. Both your initial and final test results will be provided to **Tiger Lines, LLC.**

A refusal to be tested, or a positive test, will subject you to certain consequences under the DOT regulations and also to disciplinary action under **Tiger Lines, LLC.** drug and alcohol abuse policy.

RELEASE OF INFORMATION

Section I. To be completed by new employer, signed by the employee, and transmitted to the previous employer:

Driver Safety Performance History Investigation Form (49CFR, §391.23) completed during application process.

APPENDIX E

ACKNOWLEDGEMENT OF RECEIPT

I certify that I am in receipt of, have read, and do understand **Tiger Lines, LLC**. policies, procedures, and educational materials regarding substance-abuse prevention and substance- abuse testing, as required by the Federal Motor Carrier Safety Administration (FMCSA).

Specifically, I certify that I have received detailed information setting forth:

- (1) The identity of the person designated to answer questions about Tiger Lines, LLC Drug and Alcohol Policy for DOT-Regulated Drivers (the DER);
- (2) The positions are covered by the regulations;
- (3) What is meant by “safety-sensitive functions” so that I understand what period of the workday I am required to be in compliance with the regulations;
- (4) What is prohibited by the regulations and by the Policy;
- (5) The circumstances under which I will be tested;
- (6) The procedures for testing;
- (7) The requirement that I submit to testing as required by the regulations;
- (8) An explanation of what constitutes a refusal-to-test, and the consequences for refusing to submit to testing;
- (9) The consequences under the regulations and the consequences as a matter of Company policy if I violate the regulations and/or test positive;
- (10) The consequences if I test positive for alcohol at the level of .02 or greater; and
- (11) Information concerning the effects of alcohol and drug abuse on my health, work, and personal life, and signs/symptoms of alcohol and/or drug problems.

I understand that if I am concerned about my use of alcohol or controlled substances, or the use of alcohol or controlled substances by a co-worker, I can and should seek assistance from **Tiger Lines, LLC**. or from an appropriate assistance program in my community.

I understand that I may have a copy of this Acknowledgement of Receipt if I request.

Driver's Signature

Date

~~Witness's Signature~~

Date

Driver's Printed Name

Witness's Printed Name

DISCIPLINE

Place original in personnel file.

Purpose

Although the Company operates through teamwork and employee involvement, we realize that there will be occasions when guidelines will not be followed and persons who will choose not to follow Company directives. For these occasions and those persons, the following disciplinary actions have been and are made part of the Company safety policy.

Background

The Company recognizes that in any trucking operation there must be rules for the good of our employees as well as the good of our customers and in fact the public at large. For this reason a set of Company rules and guidelines have been formulated.

Company Rules and Safety Directives

- A. If an employee is not going to be at work for any reason such as illness or an emergency, he must notify his immediate supervisor by telephone or in person, as soon as possible on the day that the employee will miss. If the employee knows in advance that he will be unable to come to work, the employee notify the supervisor each day that he is to be absent.
- B. If an employee does not notify the Company of the reason for absence for a period of three days, he will be discharged for job abandonment.
- C. All vacation and leave requests must be submitted in writing at least ten days prior to the time in which a vacation or leave is to be taken. All leave requests must indicate the beginning date of leave requested and the date the employee will return. If the employee is not able to return on the day stated in the request, the employee must update the request at least two days prior to the date they are to return. The update must be in writing. The Company provides an unpaid leave of absence on a case to case basis dependent upon the reason for the request and the needs of the Company. Request of leave must be approved and signed by the immediate supervisor prior to the individual taking such leave.
- D. If an employee requests time off from work due to a health condition of himself or his family, the employee must submit a statement from the attending physician attesting to this fact. Leave requests for health reasons will not be considered without this statement from the attending physician.

- E. Each employee must be careful not to damage the equipment or property of the employer, or the employer's clients.
- F. Unauthorized possession of Company property is prohibited.
- G. Under no circumstances is gambling, drugs, or alcohol allowed on Company property.
- H. Safety is essential. All employees must comply with the Company and government safety requirements relative to their jobs. If an employee is not familiar with these requirements, the immediate supervisor is to be consulted.
- I. If an employee has a problem relative to his job, the employee must take the problem to the immediate supervisor for resolution. The employee is advised to take his complaint to upper management only after the immediate supervisor is consulted without effect, and to submit a written grievance if the employee is not satisfied with the supervisor's action. All written complaints will be treated with strict confidentiality.
- J. The Company requests a written notification of an employee's intent to voluntarily terminate his employment at least two weeks prior to the anticipated last day on the job. There are several reasons for this request. One being: to allow the Company a final opportunity to address any grievance of the employee.

In addition to this list of Company rules and directives, the employee must abide by the rules set down by Federal, State, and Local Authorities. Flagrant violation of these rules and statutes will result in disciplinary actions that may include termination.

Deteriorating performance and/or unresponsiveness to remedial training or counseling will also be grounds for termination of employment.

Purpose

AWARDS AND INCENTIVES

The Company realizes that consistent and exceptional performance deserves recognition and reward. For this reason, the Company has instituted the following Awards and Incentives Program.

Background

The Company periodically reviews its wage and benefit package and compares it to other trucking concerns in the area to insure that we remain competitive. We believe that we have a very good wage and benefit package and an excellent earnings opportunity for the driver. The awards and incentive program of the Company is not to be confused with the wage and benefit package. It is, rather a means of recognizing and rewarding exceptional work. It acts also as a motivator to the individual who otherwise might remain average and ordinary.

Purpose

ACCIDENT INVESTIGATIONS

To establish policy and guidelines for accident investigations for the Company.

Background

Experts tell us that to offset the costs of one accident with aggregate costs of \$5,000.00, the Company will need to generate \$250,000.00 in NEW BUSINESS (assuming an operating ratio of 98%). With this knowledge, it becomes apparent that all accidents need to be investigated to determine cause.

All vehicles will carry an accident reporting kit. This kit will aid the driver in obtaining preliminary information at the scene and prior to arrival of investigative personnel.

- A. The Driver must:
 - 1. Be cooperative with police and other investigative agencies.
 - 2. Not admit guilt or apologize to anyone.
 - 3. Not sign anything (other than a citation from the police if given).
 - 4. Render assistance as required to relieve suffering of injured persons.

- B. The Safety Department must:
 - 1. Investigate all accidents.
 - 2. Investigations will begin with notification of accident to the Safety Department. All accidents will be investigated to the fullest extent possible to determine: 1. Cause – not blame, and 2. Preventability. The goal being to eliminate the cause of the accident and thus eliminate accidents.
 - 3. Driver cooperation in the accident investigation process is essential to a proper investigation, and the formation of proper conclusions. Drivers/Employees should be willing to cooperate with the investigator without fear of repercussion from the Company. The goal is to find the cause of the accident, not to find fault or place blame.

Purpose

ACCIDENT INVESTIGATION REVIEW PANEL

To create a panel of qualified personnel whose job it will be to review all accidents. This panel will look at accident investigation files, police reports, and physical evidence as well as interview witnesses in order to determine Preventability of accidents.

Background

From time to time, persons involved in an accident will be subject to disciplinary actions as outlined in the safety policy manual. It is obvious that this person may not agree with the findings of one person whose task it is to determine liability and Preventability.

Policy

Effective immediately, the Company will utilize an accident review panel to review all accidents, both vehicular, and personal injury. The purpose of this panel is to weight the evidence in each case to determine Preventability and liability.

This panel will consist of the following personnel:

- The Director of Safety and ComplianceChairperson ➤
- The Director of Maintenance Maint. Rep.
- A Qualified Driver TrainerOperations Rep.
- The Office ManagerOffice Rep.
- Modesto Terminal ManagerTerminal Rep.
- A Qualified MechanicRep.

When deemed necessary and appropriate by the panel, outside expertise in the field of investigation may be utilized.

Findings of this panel will be final and irrevocable.

If the panel is unable to reach unanimous finding, the accident file will be sent to the accident review panel of the American Trucking Association for determination, whose ruling will be final.

SHOP/TERMINAL SAFETY

Purpose

To establish a safety policy governing everyday activities and job functions within the shop and/or terminal.

Background

By nature of the business, in all trucking concerns, the majority of all safety emphasis is usually placed on the drivers. However, we realize that there is also great exposure in the area of maintenance. For this reason, it is necessary to establish work rules and safety policy for the shop and terminal employees.

Shop Area

- A. Keep work area and equipment clean and free of litter.
- B. Exit doors are to be kept clear at all times .
- C. Bay doors are either all the way up or all the way down.
- D. No Smoking areas and signs are to be observed at all times.
- E. Do repair work in proper areas for that work.
- F. Passageways to fire exits are to remain clear and open.
- G. Make sure that the area is clear before moving equipment.
- H. Drivers are not to be invited nor allowed in the shop.

Safety Practices

- A. Keep work area and equipment clean and free of litter.
- B. Lifting – No person shall attempt to lift excessive weight manually.
- C. Jacks, winches, dollies or forklift is to used.
- D. Raised equipment will be supported by approved stands.
- E. No person shall be under a cab that is not supported.
- F. No person shall ride on a forklift other than the driver.
- G. No person will be lifted with a forklift unless equipped with proper cage.
- H. Platforms are to be used when working on top of vans or other high areas.
- I. Do not use ladders or platforms that are not in perfect working condition.

Welding, Cutting and grinding:

- A. Proper eye protection and leather gloves must be worn.
- B. Work must be done in designated areas only.
- C. All designated areas will be kept clear of flammable materials.
- D. Fire extinguishers will be within 15 fee of designated work areas.
- E. Ventilation or exhaust blower will be used when welding inside tanker equipment.
- F. No person shall weld or work inside tanker equipment without supervision or at least one other person outside the tank and in the immediate area.

SHOP/TERMINAL SAFETY

- G. All gas bottles will be chained in proper area. Empty bottles will be marked "M/T", capped and returned to proper storage area.

Oils and Greases

- A. Waste oil will be disposed of in designated waste oil tank, and through registered recycle waste oil hauler only.
- B. Filters will be drained into waste oil tank and disposed of in a proper manner.
- C. Grease and oil pumps are to be kept clean and stored in proper area. Drain pans to be cleaned and stored outside.

Wash Rack

- A. Wash rack will be used by trained personnel only.
- B. Soap storage area is to be locked.
- C. No person shall be in soap storage area until that person has read and been counseled on the material safety data sheets pertaining to, and been trained on soap mixtures.
- D. Protective rubber boots, gloves, wash suits, and eye protection will be worn when using wash rack.
- E. Pressure washer regulator adjustments must not be changed or altered except by shop foreman.
- F. Pressure washer is not to be used if leaks are evident in any part of the system.
- G. Pressure washer soaps are not to be used if windy conditions exist.
- H. Drive wash buckets will be maintained with soap and brush at all times.

Safety Rules.

- A. Maintenance office is off-limits after hours.
- B. Coffee breaks will be taken in designated areas.
- C. Personal telephone calls are permitted only at discretion of Maintenance Director, and should be kept to a minimum.
- D. No drivers are allowed in the shop.
- E. No parts will be given to drivers.
- F. Work on personal vehicles will be permitted only with prior authorization from the Director of Maintenance.
- G. Tools are to be cleaned and put away after job completion.
- H. Pressure washer will be locked at night.
- I. No loitering will be permitted. When your shift is over, leave the premises.
- J. Gate will be locked after hours.
- K. Coveralls will be hung up or in the laundry barrel.
- L. Gate will be either open or closed. Gate will not be left in a partially open or closed position.
- M. All equipment entering the shop for repairs will have a work order. The work order must be filled out properly.

SHOP/TERMINAL SAFETY

- N. Work performed must be attested and signed for in the drivers "Vehicle Condition Report" Booklet, located in the cab of the truck.
- O. All equipment leaving the shop must meet minimum criteria stated in appendix "A" (CHP out-of-service criteria).
- P. No person will falsify work orders, or sign for repairs that have not been completed.

Failure to comply with these basic safety rules will subject the person to the full range of disciplinary actions as stated elsewhere in this manual.

OFFICE SAFETY

Purpose

To establish policy and guidelines designed to protect office employees from unnecessary risks and hazards.

Background

Although the nature of our business dictates that we focus most risk management efforts toward drivers and mechanics, we must not overlook the potential dangers associated with the office atmosphere. In this respect the following policies and guidelines are effective immediately.

Early Arrival/Late Departures

It is a common practice for some office workers to arrive early, and for others to work late. To provide for maximum security and safety when arriving early or working late, the following guidelines are to be followed:

- A. Security door is to be kept locked before 8:00 a.m. and after 5:30 p.m.
- B. When occupied, all office lighting is to be on.
- C. When unoccupied, make sure all electrical appliances are off.
- D. Dispatchers should be notified that office personnel are in, when working early, or late.
- E. Do not allow non-employees (friends, relatives or acquaintances) into office area.

Safe Working Practices

- A. Horseplay and unsafe acts are prohibited.
- B. Unattended files and/or desk drawers are to be closed.
- C. Only one file drawer at a time should be open.
- D. Employees will be trained on proper use of equipment.
- E. Work areas (floors, furniture, storage) are to be kept clean and neat.

Housekeeping

- A. Floors are to be kept free of trash and debris. Rugs and floors will be maintained in good condition.
- B. A sufficient number of trash receptacles will be supplied and conveniently spaced, and emptied regularly.
- C. Any spill is to be cleaned up immediately.
- D. Cleaning supplies are to be kept stocked and stored in a central storage area.
- E. Office furniture/machinery is to be kept in good repair.
- F. Floors are to be kept free of wires, extension cords, etc. that may present a tripping hazard.

OFFICE SAFETY Electrical

- A. Permanent wiring boxes, switches, outlets and lights are to be secured and free of defects.
- B. Breaker boxes are to be properly maintained.
- C. No overloading of outlets.
- D. Wires and plugs are to be securely connected.
- E. Lighting must be adequate and spaced properly to eliminate shadows.

Health and Sanitation

- A. Kitchen area is to be kept clean, neat and free of work materials.
- B. Bathrooms will be kept clean and properly maintained.
- C. First aid stations are to be kept stocked. All employees are to be informed as to where first aid stations are located.

HOME SAFETY

Purpose

The Company wants and needs healthy and happy people. We are committed to providing a workplace and work atmosphere that is conducive to healthy and happy employees. However, we realize that health and happiness is affected as much by activities and habits developed in the home as those at work. For this reason, the following *suggestions* are offered for your consideration and are strongly recommended.

Background

Many is the time that a Company has spent a great deal of time and money to develop and enforce safety policies and practices in the workplace, just to see the program fail simply because the employee's home safety practices are lax or non-existent.

Private Automobiles

- A. Drive within the posted speed limits. (Laws enacted in 1989 make it very difficult to retain your driving privilege if you have too many tickets. B. Wear your seat belt. Insist that passengers wear theirs.
- C. Never, never drink and drive.
- D. Always lock your car, when parked, and take your keys with you.
- E. Keep your vehicle properly maintained and inspected.

Fire Training

- A. Have planned escape routes for your family in case of fire.
- B. Conduct fire drills. Don't just tell them! Show them!
- C. Keep them up to date and full fire extinguisher in the kitchen area.
- D. Smoke alarms should be tested frequently, and batteries replaced annually.
- E. Have a pre-selected meeting place for your family in case of fire. This will allow you to account for everyone.

General

- A. Never use electric shavers, hair dryers or other appliances in the bathtub, shower or around a filled sink.
- B. Breaker boxes, switches and outlets must be properly maintained.
- C. Never overload outlets.
- D. Don't allow wires, telephone cords, etc. to string across the floor to become a tripping hazard.
- E. Never allow young children to use stoves or appliances without supervision.
- F. Keep a first aid kit stocked and handy. Make sure everyone knows where it is and what it is for.
- G. Instruct your family on the use of the emergency 911 service.

- H. Learn CPR, get certified and get those members of your household, teenage and above certified.

HOME SAFETY Outside the Home

- A. Lawn mowers should be serviced regularly and checked for defects.
- B. Hedge clippers, trimmers, sheers, etc. should be checked for defects and stored properly.
- C. Garden hoses should be kept rolled up and off the lawn area to avoid a tripping hazard.
- D. Ladders should be inspected regularly. Make repairs as needed, and never over-load ladders.

Company Policy about Climbing on Top of Loaded Trailers

Your safety is our top priority, and it simply is not safe for any driver to climb on top of any loaded trailer for any reason. There are unseen hazards and a high risk of falling into the load, or out of the trailer. There are no circumstances where your safety should be risked. It is the stated policy of Tiger Lines that no driver will get on top of the trailer to adjust the load for any reason. Such unsafe acts will receive disciplinary action.

In the event you are unable to properly tarp your load due to an obstruction, you should follow these procedures:

- First contact your Dispatcher to advise them of the situation. Depending on the circumstances, you will be directed to do one or more of the following:
 - Use a ladder or platform where you can reach into the load in a safe manner and attempt to knock down the obstruction.
 - If you are still not able to tarp the load, pull the trailer back into the loading site so the loader is able to correct the issue.
 - The final resolution if the tarp still cannot be pulled over the load is to pump off the load.

Your personal safety is the highest priority we all have, so please do not risk getting injured by climbing on top of a load. Following the above policy will keep you safe and avoid an injury that could be very serious.

On-Road Trailer Fire Policy

Due to the nature of the material that we transport, there is a risk of that material catching fire while inside your trailer. There are no circumstances where your safety should be at risk. It is the stated policy of Tiger Lines that no driver will try to manage fires on their own. Such unsafe acts will result in disciplinary action.

In the event the material you are transporting in your trailer catches fire, you should follow these procedures:

- 1. Pull over to a safe location. Call 911 so they can send the Fire Department.**
- 2. Call your Dispatcher and the Safety Department.**
- 3. Follow the Fire Department's instructions on fire containment.**

Your safety is our highest priority, so please do not risk getting injured by trying to deal with the fire yourself. Following the above policy will keep you safe and avoid an injury that could be very serious.

Tiger Lines, LLC, Inc.

INJURY PREVENTION PROGRAM

Safety and Health in the Workplace

It is the policy of Tiger Lines, LLC to have a safe and healthful workplace. To that extent, we have implemented the **Injury Prevention Program** that is outlined on the following pages.

Members of management are expected to do everything within their control to assure a safe environment and to always be in compliance with Federal, State, and Local safety regulations.

Employees are expected to obey safety rules, follow established safe work practices and exercise caution in all their work activities.

Drivers are expected to comply with State, DOT and DMV operating rules and regulations, and to maintain their motor vehicle records within Company standards.

All employees are expected to immediately report any unsafe conditions to their supervisor. Employees at all levels of our organization who are responsible for correcting unsafe conditions are expected to do so.

Working together, we can succeed in having a safe, healthful and profitable workplace from which we all will benefit.

Submitted: _____

Mauro Torres
Director of Safety and Compliance

Approved: _____

Don Altnow, Co-Owner

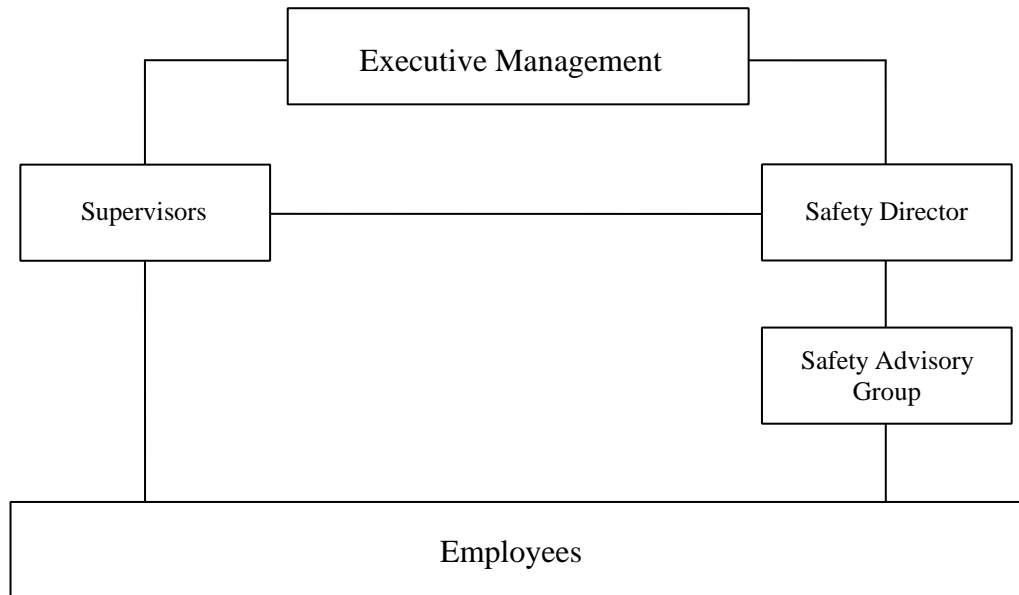
Dennis Altnow, Co-Owner

ORGANIZATION AND RESPONSIBILITIES

We have organized our Injury Prevention Program so as to increase the efforts of everyone toward our goal of having an injury and illness free workplace. While the program meets Federal and State safety and health regulations, this is secondary to our main motive. Our main goal is preventing accidents and illness in the workplace because this is a good business practice where everyone benefits.

We manage the safety and health function of our business the same way as other functions such as operations or marketing. We know that it is the management and organization of our Injury Prevention Program that makes the difference between an effective program and one that is largely a waste of time and money.

What follows is a chart of our organization which shows the reporting relationships and communications flow. An outline of responsibilities of each position is shown on the following pages.



Our Injury Prevention Program allows—and encourages—employees to communicate with all levels of management on safety and health matters. The program also provides ways for management to keep informed about matters important to their health and safety.

Executive Management

While all members of management are responsible for safety and health in the workplace, there is one manager directly responsible to executive management for the Safety Program.

Director of Safety is Mauro Torres. His Telephone extension is 228.

ORGANIZATION AND RESPONSIBILITIES

Some of this person's responsibilities are to:

- A. Develop policy for approval of principals and owners;
- B. Assign responsibility and accountability to individuals;
- C. Review and evaluate results;
- D. Provide active leadership by participation, example, and demonstrated interest in the program;
- E. Coordinate the safety and health activities of all involved individuals and groups such as the Safety Advisory Group, Contract Industrial Medicine and Physician, etc.;
- F. Keep up-to-date information on local, state, and Federal safety and health regulations;
- G. Keep all levels of management informed of these laws and standards;
- H. Plan, organize and coordinate safety and health training;
- I. Set-up safety and health inspection procedures and follow-up to make sure any necessary corrective action is completed;
- J. Set-up a program for the medical treatment for injured employees. The program includes, first aid equipment, designated trained First-Aides, and procedures to provide additional medical treatment;
- K. Maintain liaison with outside agencies such as local and State agencies, safety council, and the insurance carrier.
- L. Keep management informed

Supervisors

Some of the Supervisor's responsibilities are as follows:

- A. Keep informed about safety and health regulations affecting the operations they supervise;
- B. Make sure that each employee is able to – and understands how to – complete each task to which they are assigned in a safe manner;
- C. Make sure that machines and equipment are maintained in safe operating condition;
- D. Make sure that employees follow all safety and health regulations and work practices, including using required personal protective equipment;
- E. Investigate accidents that may occur, identify the corrective actions necessary to prevent a similar accident from occurring;
- F. Report, without delay, any unsafe or unhealthy conditions which they cannot correct.

ORGANIZATION AND RESPONSIBILITIES

Safety Advisory Group

Incumbent Name	Title	Phone/Extension
Mauro Torres	Safety Director	209-367-3228
Joyce Vanotti	Equipt.Control/Compliance Mgr.	209-649-7481
Judy Bakey	Office Manager	209-334-4102 ext. 247
Chris Garrett	Parts Department	209-334-4102 ext. 249
Tony Hudleston/Joyce Vanotti	Loss Control Rep.	209-334-4100 ext. 211, 226
Clyde Garrett	Shop Mechanic Supervisor	209-625-6549

Some of the Advisory Group's responsibilities are as follows:

- A. Participate in periodic scheduled inspections;
- B. Participate in investigation and analysis of accidents involving injuries or illness;
- C. Review the potential safety or health hazards of all new process, methods, or materials introduced into the workplace;
- D. Serve as a conduit for communication between employees and management, investigating any allegations of hazardous conditions brought to a group member's attention.

ORGANIZATION AND RESPONSIBILITIES

ACCIDENT REPORTS

The law requires that we maintain a "Log of Occupational Injuries and Illness." The Cal/OSHA Form 200 is used to maintain these injury and illness records.

The Director of Safety and Compliance is responsible to maintain this log.

The law also requires that we report all occupational injuries and illnesses to the Division of Labor Statistics and Research. This is done through the document we file with our insurance carrier. The document used to report the injury/illness is the "Employer's Report of Injury (DSL5020)."

It is the Director of Safety's responsibility to make sure this report is completed and sent to our insurance carrier within 48 hours of the time we receive notice of an injury or illness. The Director of Safety is to maintain a file of all accident and illness reports.

Properly used, accident records are one of the most powerful tools we have to improve our safety program.

FOCUS is the difference between an effective safety program and the one that is largely a waste of time and money. This gives us the ability to quickly identify the problem so that we can MANAGE the results. We can control accident frequency by focusing on the most common types of accidents. We can control accident costs by focusing on serious or costly accidents.

ACCIDENT RECORDS are the starting point. The goal is to separate all accidents by type and cause of accident. Sometimes this can be done by a simple review of accident records, other times some ACCIDENT INVESTIGATION may be necessary. Once we identify the most common type of accident and those that typically are the most costly, we can often trace these accidents directly to specific areas. After that, it becomes a much easier job to develop and set up corrective action. When we are focused on the problem, we can MANAGE the results.

Keeping accident records, investigating accidents, analyzing the results are simple but powerful tools in our accident prevention program.

ORGANIZATION AND RESPONSIBILITIES

Safety Rules

Certain basic principals of safety are so important that they can only be expressed as "rules". These safety rules are a basic part of our Injury Prevention Program, and are also part of our disciplinary procedures. All employees need to know and follow these Safety Rules and all supervisory and management personnel must enforce them.

Here are our basic Safety Rules:

- A. All injuries must be reported to your supervisor immediately.
- B. Immediately report all unsafe or unhealthy conditions in the workplace, including defective tools or other equipment, to your supervisor.
- C. Established safe job procedures must be followed by all employees.
- D. Changes in regular job procedures require the approval of your immediate supervisor.
- E. If unsure how to operate a machine or perform any assigned task, ask your supervisor before proceeding
- F. Do not remove guards from machines.
- G. Personal protective equipment must be worn or used in any area where it is required.
- H. Use only the proper tool for the job. Do not use defective tools or equipment. If the proper tool is not available, get help from your supervisor before doing the job.
- I. Get help in lifting any item, which is so bulky, awkward, or heavy that you feel you cannot lift it safely.
- J. If a repetitive task causes you discomfort, or you feel it is unsafe or unhealthy, report it to your supervisor immediately.
- K. Alcohol and other drugs are prohibited in the workplace or on Company premises.

IDENTIFYING AND EVALUATING WORKPLACE HAZARDS

To maintain a safe and healthful workplace we need to have a way to identify hazards in the workplace. Recognizing that unsafe work practices generally cause more accidents than unsafe conditions (by themselves), **we intend to focus on both – unsafe work practices as well as unsafe physical conditions.**

Although it is our intention to eliminate all unsafe conditions and work practices as quickly as possible, some corrective actions will require longer periods of time and/or larger expenditures of capital. Because of this, it will be necessary to evaluate the seriousness of the hazards and focus our attentions on those that have potential to cause serious injury or illness.

Inspection of the workplace is our primary tool to identify unsafe conditions and practices.

There are some standards we can use for inspection:

- A. Violations of our safety rules.
- B. Machinery or other equipment without the necessary guards.
- C. Unsafe use or storage of chemicals, including flammable.
- D. Obvious violations of good housekeeping practices.
- E. Personal protective equipment not being used where required or being used improperly.
- F. Machinery, hand tools or other equipment in poor condition or being used improperly.
- G. Other deviation from accepted safe practices.

The State of California requires that we conduct "regular and frequent" inspections of the workplace. Some equipment, cranes, hoists and certain machinery guards, for instance require scheduled inspections.

Policy: It is our Company policy to complete all required inspections, and to keep records of these inspections of the workplace.

It is not enough to meet the "letter of the law". Inspection of our workplace is simply a good business practice. It is one way of knowing that our plan is working.

Some of the benefits we can get from effective safety inspections are:

- A. Detection and elimination of physical hazards.
- B. Detection and elimination of unsafe personal practices.
- C. Control of Terminal housekeeping.

IDENTIFYING AND EVALUATING WORKPLACE HAZARDS

- D. Stimulation and maintenance of employee interest in safety.
- E. Education of supervisory, operations, and terminal personnel.
- F. Compliance with Federal And State Safety and health laws.
- G. Increased knowledge of operations and maintenance support functions and methods.
- H. Improved utilization of available space.

Regular and periodic inspections by executive management, line managers and supervisors, safety advisory group members, and individual employees are one of the principal means of locating hazards before accidents and injuries occur. Since accidents and injuries are caused primarily by either unsafe physical conditions or unsafe practices, or by a combination of the two, inspections should involve search for both causes.

We must continuously search out and correct unsafe and unhealthy conditions and work practices. This responsibility is **everyone's**.

All Employees

All employees are responsible for inspecting their own workplace on a daily basis and for promptly reporting unsafe or unhealthy conditions to their immediate supervisor unless they are able to correct the situation themselves.

All Supervisors

All supervisors are responsible for routinely inspecting their area of responsibility and, where possible correcting unsafe conditions and work practices. If corrections cannot be done at the supervisor's level, the supervisor is responsible to assure that corrections are completed by those assigned the task.

There are certain times when a more in-depth analysis of hazards – or potential hazards – is required of the supervisor. These are situations when a task is known to have caused accidents in the past, or when the supervisor is investigating the cause of a recent accident. In both cases the supervisor must focus on the specific hazard that caused or contributed to the accident.

Procedures:

Tasks That Have Involved Accidents

A Job Hazard Analysis will be completed on every task or operation that has caused accidents in Supervisor's area of responsibility. This will be documented on the **JOB HAZARD ANALYSIS Report**, and a copy filed with the Director of Safety.

Investigation of Accident

If an accident occurs in a supervisor's area of responsibility, the **Supervisor's Report of Accident** will be completed within 48 hours or as soon as practical. Specific to the identification of the hazard, all factors that may have caused, or contributed to, the accident

IDENTIFYING AND EVALUATING WORKPLACE HAZARDS

are to be noted in the appropriate section of this report. **The report is filed with the Director of Safety who – after review – passes one copy to the insurance carrier.**

Safety Advisory Group/Director of Safety

The Safety Advisory Group is to conduct an inspection of the workplace prior to its quarterly advisory group meeting. The purpose of this inspection is to have a team of management and employees inspect the workplace on a regular and frequent basis, looking for both unsafe physical conditions of the workplace as well as unsafe job practices or acts of employees.

Procedures:

Safety Advisory Group Inspections

The Safety Advisory Group will conduct an inspection of the workplace prior to the quarterly meeting of the group. The inspection findings are to be documented on the **Monthly Safety Inspection Report**. Office areas, which present special safety hazards, will also be inspected monthly and the inspection documented using the **Office Health and Safety Checklist**. Copies of these reports are to be attached to the copy of the Safety Advisory Group Minutes and filed with the Director of Safety.

The Director of Safety and Compliance

The Director of Safety is responsible for specialized inspections of the workplace such as VDT and other Ergonomic concerns. The Safety Director will make frequent reviews of the OSHA Log and Claims Profile Analysis provided by the insurance carrier to identify areas for special concerns or observations.

There are other ways of identifying hazards in the workplace, most of which fall within the responsibility of the Safety Department. One of these is the use of specialized inspection reports such as the Video Display Terminal (VDT) checklist, which identifies ergonomic concerns common to the use of word processors, personal computers and other video terminals. A second way is through the use of accident analysis. The Safety Director will make regular and frequent review of our OSHA Log and the Claims Profile Analysis Report provided by our insurance carrier. Review of accidents can often identify certain areas of our workplace, which are unsafe or specific job tasks, which involve an unsafe practice.

CORRECTING UNSAFE CONDITIONS AND WORK PRACTICES

To maintain a safe and healthful workplace requires correcting identified potentially hazardous workplace conditions. Knowing and failing to correct potentially hazardous situations is against Company policy.

Policy: No supervisor shall knowingly allow a hazardous condition to exist, which may result in injury or occupational illness.

Although it is our intention to eliminate all unsafe conditions and work practices as quickly as possible, some corrective action will necessarily require longer periods of time and/or larger expenditures of capital. Because of this, it will be necessary to evaluate the seriousness of the hazards and focus our attention on those that have the potential to cause serious injury or illness.

One way to evaluate the seriousness of a potential injury is to use the same criteria Cal/OSHA generally uses in deciding if a violation of a safety and health standard is a "serious" violation or a "non-serious" violation. To do this Cal/OSHA tries to determine if the resulting injury would involve hospitalization, amputation of a limb or part of a limb, a fracture, or permanent disfigurement or disablement. These kinds of injuries are certainly serious and conditions likely to cause them should receive our immediate attention.

Another way is to examine our accident records, including the Cal/OSHA log which records time lost from work and especially the "Claims Profile Analysis Report" provided by our insurance carrier which clearly shows us which types of accidents and injuries tend to be more expensive (generally a good measure of severity of the injury).

Once we have determined that an unsafe condition or work practice exists, and have evaluated the seriousness of this hazard, we need to decide what to do about it – and, get it done.

If it's quick and easy, fix it – and fix it now!

All Company personnel have a responsibility for helping to make sure we all have a safe and healthful place to work.

CORRECTING UNSAFE CONDITIONS AND WORK PRACTICES

All Employees

Employees should make recommendations for changes in the workplace or in work practices which will improve job safety and performance. Employees may make these changes when these changes are within their level of authority and expertise, and the change does not adversely affect operations or personnel.

All Supervisors

Supervisors are responsible for making changes in operations and work practices, which improve the job performance of the people in their areas of responsibility. When changes are not within their budget authority or expertise, they must assure the changes are completed by others.

Management

Management has overall responsibility to assure efficient and safe operations within their area of responsibility.

Each person responsible for corrective action:

- A. Must have a plan for correcting unsafe or unhealthy conditions or work practices.
- B. Must select priorities and correct hazards in order of potential seriousness
- C. Must have a written plan.

Corrective action generally falls into four categories.

1. Engineering or mechanical controls or job redesign – this is the preferred method since it usually eliminates or reduces the hazard and is a permanent solution. Cal/OSHA requires us to use this solution whenever possible.
2. Training – once a safe job procedure has been established, employees can be trained in the proper (safe) method to do the job. While training is always desirable (and is required by law), the problem with this solution is that it requires constant supervision to make sure employees continue to do the job in the manner in which they have been trained to do.
3. Administrative Control – for instance, we can limit the amount of time an employee is exposed to a repetitive operation, or exposed to a noisy environment. This type of control involves rotating employees between jobs and is difficult to administer.

CORRECTING UNSAFE CONDITIONS AND WORK PRACTICES

4. Personal Protective Equipment – It is vital to use hearing protection for noisy areas, proper gloves for material handling, or exposure to chemicals, etc. Once again, this solution requires constant supervision to make sure the equipment is used properly. If engineering controls are possible, Cal/OSHA says we can only use personal protective equipment until such time as we can implement the permanent controls.

Often it is quite obvious what corrective action we ought to take. Sometimes there will be several possible solutions, a JOB HAZARD ANALYSIS form can help determine the appropriate action.

Procedures:

Job Hazard Analysis—Correct Procedure

When the corrective action for an unsafe condition or job practice is not obvious or where it may involve several solutions, a job hazard analysis form will be completed. Safe job procedure will consider engineering controls or job re-design whenever possible as the correct solution.

Good business practices—as well as the law—require we have a plan for corrective action and that we document what corrective action we have taken. We have several procedures we use to do this.

Program Schedule—Corrective Action

When corrective action for an unsafe condition or work practice will involve multiple steps or cannot be completed immediately, the Director of Safety will develop a plan of action using the **LOSS CONTROL PROGRAM SCHEDULE**. It will include who is responsible and the date of completion.

Accident—Corrective Action Under Supervisor Control

Our policy requires that supervisors complete a Supervisors Report of Accident whenever an accident occurs. When corrective action is under the supervisor's control, the supervisor will indicate what is being done and also note the approximate date the condition will be corrected.

Safety Inspection—Corrective Action

When the monthly safety inspection discloses an unsafe condition or job practice, the corrective plan will be noted on the Monthly Safety Inspection Report. This report becomes an attachment to the Safety Advisory Group's minutes, and is also used to document the follow-up and completion dates.

SAFETY TRAINING

The law requires that we provide several different types of safety training to our employees:

- A. General safety Orientation to all new employees
- B. Specific training on how to do their assigned job.
- C. Special training when they work with hazardous materials or certain types of machinery or other equipment.
- D. Training on how to use any personal protective equipment provided (such as respirators).

These requirements are based upon the assumption that when employees know how to do their job properly, and know the hazards of the job, they will work safely.

Policy: It is our policy to provide training in safe work practices for all of our employees. No one should do a job unless he or she knows how to do it safely, and understands the hazards involved.

Safety education and training for employees should commence at the time of employment. Before people actually begin an assigned task they should complete a short training course to familiarize themselves with Company safety policies. This portion of the training course should include:

- A. An explanation of the Company's safety policy;
- B. Familiarization with the general safety rules of the Company and enforcement policies.
- C. The requirement for immediately reporting all injuries along with information on available medical treatment.
- D. The necessity for reporting all unsafe conditions to their supervisor.
- E. Information concerning the safety training which will be given by supervisors.

SAFETY TRAINING

- F. A clear statement that no employee should attempt to do a job that appears to be unsafe.

After a person is assigned to a job, the responsibility for safety education and training passes to the immediate supervisor. The supervisor should continue the safety instructions by discussing the safety rules of the department in which the employee will work. This should be followed by instructions in the hazards associated with the specific job to which the worker is being assigned. As an example, if personal protective equipment is required on the job, it should be issued and instructions given in the use of this equipment. It is most desirable to follow this initial instruction by a complete review within a week or two after assignment to the job. This will assure that the new employee fully understands the information given at the time of employment and at the time of assignment to the job.

Policy: Supervisors are responsible to make sure every employee receives safety orientation and training.

Procedures Safety Orientation

Supervisors, with assistance from the Director of Safety, if desired, will provide every employee under their jurisdiction with a general orientation to our safety policy and our safety rules along with safety instructions specific to the employee's assigned job and any personal protective equipment they may be issued. This orientation and training is to be documented on the Employee Safety Orientation form. The Employee Safety Orientation Form is to be signed by the employee and retained in his/her file.

Specific Job Training

When a Job Hazard Analysis Form has been completed for a job, it will be used in training the employee. The supervisor will cover the steps of the job, the hazards that may be associated with each step and the correct job procedure for the employee to follow. This specific job training is to be documented on the Employee Safety Orientation Form.

These are three areas that must be considered before starting a job. If there are problems in any of these areas, training may be needed in this area of concern.

1. Technical Knowledge – Does the person know all the details of how to do the job?

SAFETY TRAINING

2. Understand the Hazards – Does the person understand the potential hazards of the job, and how doing the job incorrectly may injure people or damage equipment or supplies.
3. Specific Required Skills – Does the person have the actual ability to do the job correctly and safely.

Adequate time must be allocated so that all jobs can be done correctly. Trainers will take time to prepare and present the programs and participants must take time to learn the material presented. It is recognized that some people take longer to learn new material than others; all persons are to be allowed the time needed to learn the material presented in the training programs.

General Safety Meetings/Training

After new employee safety orientation and specific job safety training, much of our safety training is done through general safety meetings. This allows us to train selected groups of employees when new substances, processes, procedures, or equipment are introduced into the workplace. It is also a convenient way to do refresher training for a group of employees exposed to common job hazards. These general safety meetings are to be documented on the Safety Training Roster. Each employee attending must sign the roster and – depending on the subject – the roster will be kept in the department safety training records and/or a copy placed in each employee's file.

Effective safety training will result in the following benefits for our Company:

- A. Reduction in injuries;
- B. Reduction in damage to supplies;
- C. Reduction in retraining time;
- D. Increase in asking for help when it is needed;
- E. Increase in production;
- F. Increase in morale;
- G. Decrease in absenteeism;
- H. Increase in profits.

ACCIDENT INVESTIGATION

We investigate accidents not to fix "blame"—but rather to determine how to prevent similar ones from happening in the FUTURE.

We are not concerned with determining who was at fault. We want to find out what caused the accident and what corrective action we should take to prevent someone else from being injured in a similar fashion. This cannot be over emphasized. Using this positive approach can help keep the lines of communication open, so we get factual information that can help us correct safety and health hazards and make this a safe place to work.

Sometimes unsafe work practices are committed or unsafe conditions exist in the workplace which – in spite of our best efforts and good intentions – result in an accident and injury to an employee. It is important to identify those unsafe work practices or unsafe conditions that might have caused this accident. – determine the necessary corrective action – and take that corrective action promptly before someone else gets hurt.

One common mistake in accident investigation is to identify a symptom rather than a cause. For example, an employee used a defective tool, because it was the only one available. Is this an unsafe act? An unsafe condition? Or both? Or, is it really a failure of management by not having proper maintenance or replacement program (or otherwise making the right tool available to do the job). Make sure to dig deep enough to identify all causes which contributed to the accident.

What accidents do we investigate? All accidents involving injury, property damage or lost time are to be investigated. In addition, we may want to investigate property or material damage (only) accidents as well. We might also want to consider investigating the cause of "near misses."

To understand this we need to consider one definition of "accident" and a fact often referred to as "truth" of accident prevention:

- A. "Accident"—An unexpected and undesirable event – usually resulting in injury or property damage, but not always.
- B. "Truth"—You cannot always predict the outcome of any given accident. An employee may fall (an accident) and not be injured, or may be seriously injured.

Understanding this leads us to investigate some "accidents" that did not result in injury to an employee. A similar "accident" in the future might result in an injury we could have prevented.

Policy: All accidents resulting in injury or lost time will be investigated to determine what caused the accident. Non-injury accidents may be investigated at the discretion of the Supervisor, Director of Safety, or Safety Advisory Group.

Injury Prevention Program

ACCIDENT INVESTIGATION

Who investigates accidents? Because they are directly responsible for conditions and work practices under their control, and because they communicate regularly with the injured employee, the employee's immediate supervisor is to complete the accident investigation.

PROCEDURE

Accident Investigation

When a supervisor is notified an accident that resulted in injury or lost time has occurred, the supervisor will investigate to determine the cause of the accident. The investigation should be completed as soon as practical after being notified that the accident has occurred. The accident investigation should be documented on the Supervisor's Report of Accident. The supervisor's Report of Accident will go directly to the Safety Director who will review it, and table it for discussion with the Safety Advisory Group.

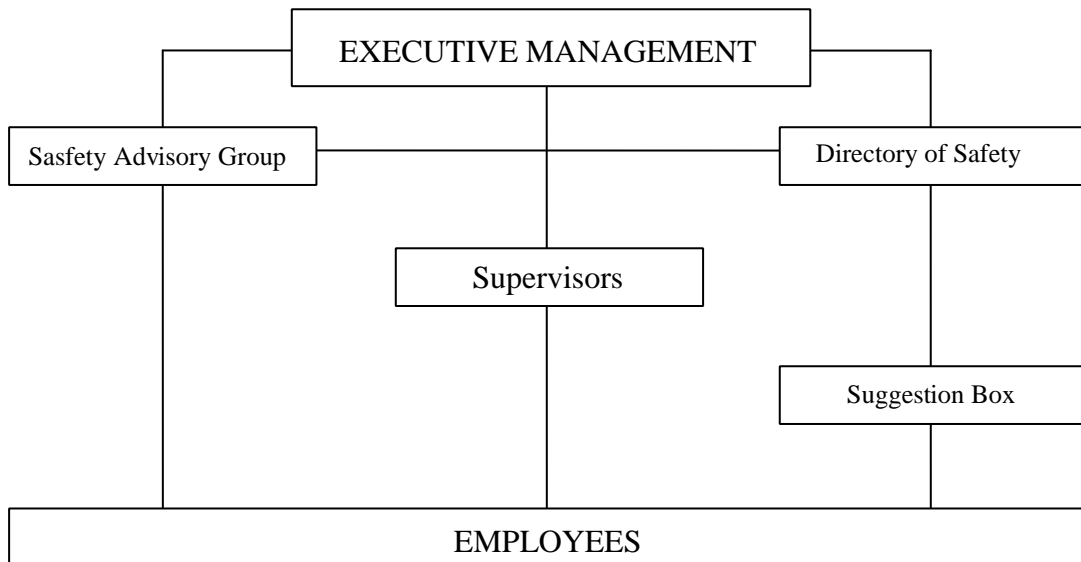
On occasion, the Safety Director or Safety Advisory Group will want to conduct supplemental investigations. Supervisors and employees are expected to assist when requested.

COMMUNICATIONS

Unless a system for communicating safety matters down – and up – throughout the organization is established, workers may not understand management's policies and intentions, and management may not get unfiltered communication from the workers about safety hazards or their needs.

Policy: It is our Company policy that there shall be open two-way communication between management and employees. No procedures or work practices shall impede the communications process.

OUR COMPANY IS ORGANIZED TO ENHANCE THIS COMMUNICATION PROCESS.



Our Injury Prevention Program is designed to allow—and encourage—employees to communicate with various levels of management on safety and health matters and also to provide the necessary mechanism for management to keep employees informed regarding matters important to their health and safety.

All pertinent health and safety information shall be forwarded to all involved employees.

All employees are encouraged to inform their supervisor of any concerns they have about the potential hazards of their workplace. In addition, employees may also inform the Safety Advisory Group, the Director of Safety, or any manager about such concerns.

COMMUNICATIONS

There are many methods that management can use to inform employees of health and safety matters. However, whatever method is used, management is responsible to assure that employees understand the situation and what action or changes both management and the employee must take.

Company Policy

Our Company policy is the foundation of our Injury Prevention Program and must be clearly communicated to all employees from the first day of employment. We feel strongly enough about this to restate it here:

Policy: Safety and Health in the Workplace

It is our policy to have a safe and healthful workplace. To that extent, we have implemented the Injury and Illness Prevention Program that is outlined on the following pages.

Members of management are expected to do everything within their control to assure a safe environment and always to be in compliance with Federal, State and local safety regulations.

Employees are expected to obey safety rules, follow established safe work practices and exercise caution in all their work activities.

All employees are expected to report immediately any unsafe conditions to their supervisor. Employees at all levels of our organization who are responsible for correcting unsafe conditions should do so.

Working together, we can succeed in having a safe healthful and profitable workplace from which we all will benefit.

Safety Rules

Safety rules go hand in hand with Company policy. If safety rules are adhered to, we will have a safer place to work and fewer accidents. Safety rules are also the basis for our disciplinary program as it applies to repeated violations of safe work practices. Like Company policy, it must be clearly communicated to employees from their first day of employment.

COMMUNICATIONS

Procedure:

Communicating Policy and Safety Rules

All employees are to be given a copy of the Company's Safety Policy and Safety Rules during their first orientation. These rules are to be reviewed with the employee and the employee must indicate he or she understands them. This is to be documented on the Employee Safety Orientation Form. This form is kept in the employee's file.

Safety Posters

Although safety posters can bring attention to an immediate hazard or serve as a general reminder, posters are one of the least effective methods of communications and shall only be used as reminders or to identify a specific job hazard.

Safety Advisory Group

Our Safety Advisory Group is an important part of our communication system. Because the group is comprised of a mixture of management and employee representatives it becomes the ideal communication vehicle.

Our Safety Advisory Group has the following duties:

- A. A Quarterly inspection of the workplace prior to the group's meeting.
- B. A review of all accidents.
- C. Review, and investigation if necessary, of any safety suggestions or allegations of hazardous condition in the workplace.
- D. Review all safety training activities.
- E. Review of all new processes or materials introduced into the workplace.

Procedures:

Safety Advisory Group Communication

The Safety Advisory Group will be comprised of the Safety Director plus selected members of management and line employees, as well as selected and invited outside professionals from the representing insurance companies. Line employee members will rotate on a schedule established by the Director of Safety.

The Safety Advisory Group will meet quarterly to accomplish the preceding tasks. Group meetings will be recorded on the Safety Advisory Group Minutes Form. This form will be sent to the manager responsible for safety in our Company.

COMMUNICATIONS

We have established a Safety Suggestion Box to make it easy for any employee to report a safety hazard or make a suggestion to improve safety and health conditions in the workplace. While it is true that supervisors traditionally act as the link between workers and management, sometimes employees have difficulty expressing a safety need to their immediate supervisor. We expect supervisors to encourage and welcome suggestions, but have provided the Safety Suggestion Box as an alternate route for employees to communicate safety matters to management.

Safety Suggestion Box

The Safety Director is responsible to maintain the Safety Suggestion Box, reviewing contents on a frequent basis. Urgent items are to be acted upon immediately, and action taken is to be reviewed at the next meeting of the Safety Advisory Group. Items not of an urgent nature may be deferred for review and action at the next Safety Advisory Group Meeting.

The Safety Advisory Group will respond – in writing – to the person making the suggestion, indicating what action has been taken.

Training

Training in safety and health matters is an important and ongoing part of our communication system. Certain training is required by law, such as training about hazardous materials being used in the workplace. All training is to be documented.

Safety and Health Bulletins

From time to time we will issue safety and health information or reminders to employees in the form of bulletins, newsletters or payroll envelope stuffers.

Policy

Safety and Health in the Workplace

It is our policy to have a safe and healthful workplace. To that extent, we have implemented the Injury and illness Prevention Program that is outlined on the following pages:

Members of management are expected to do everything within their control to assure a safe environment and to always be in compliance with Federal, State, and local safety regulations.

Employees are expected to obey safety rules, follow established safe work practices and exercise caution in all their work activities.

All employees are expected to immediately report any unsafe conditions to their supervisor. Employees at all levels of our organization who are responsible for corrective unsafe conditions should do so.

Working together, we can succeed in having a safe, healthful and profitable workplace from which we all will benefit.

COMMUNICATIONS

Safety Rules

1. All injuries must be reported to your supervisor immediately.
2. Report unsafe conditions in the workplace – including defective tools or other equipment, to your supervisor immediately.
3. Established safe job procedures must be followed by all employees. Deviations from established procedures require the approval of your immediate supervisor.
4. If unsure of how to operate a machine or perform any assigned task – ask your supervisor before proceeding.
5. Do not remove guards from machines.
6. Personal protective equipment must be worn or used in any area for which it has been issued.
7. Use only the proper tool for the job. Do not use defective tools or equipment. If the proper tool is not available, request assistance from your supervisor before proceeding.
8. Get assistance in lifting any item which is so bulky, awkward, or heavy that you feel you are unable to lift it safely.
9. If a repetitive task causes you discomfort, or you feel it is unsafe or unhealthy report it to your supervisor immediately.
10. Alcohol and other drugs are prohibited in the workplace.

DISCIPLINE—RIGHTS AND RESPONSIBILITIES

It is our intention to provide a workplace as free of safety and health hazards as possible for our employees. Doing so will minimize occupational injuries and illness which can have tragic effects on the lives of our employees and also reduce our Company's profits.

California State law requires us to have a "system for ensuring that employees comply with safe and healthy work practices – **which may include disciplinary actions.**"

We prefer to think of discipline in a larger sense. When we speak of discipline in our organization we want to use the term as it is done in professional sports:

"A well disciplined team makes few mistakes".

That is not to say that we will not apply discipline in the more traditional sense of the word. We do have a disciplinary policy and all levels of management are expected to apply this policy uniformly and without exception.

Just as the law requires us to provide a workplace free of safety and health hazards. – so does the law require employees to comply with established safe practices, which would include complying with safety rules and using any and all personal protective equipment we provide.

Policy: All supervisors are to enforce our safety rules and ensure that employees comply with established safe practices (including the use of personal protective equipment).

Our system of ensuring compliance starts with that policy. Our system relies on good management practices and resorts to discipline (in the traditional sense) as a last resort.

Experience tells us there are generally four reasons employees don't comply with safety regulations:

1. They don't understand our expectations;
2. They can't do the job;
3. They don't know how to do the job;
4. They don't want to do the job.

DISCIPLINE—RIGHTS AND RESPONSIBILITIES

1. **They don't understand our expectations**

It is the job of all managers and supervisors to make sure employees understand what we expect in the way of safety performance.

Two documents clearly state these expectations:

A. **Company Policy**

Our Company safety and health policy sets forth expectations for employees and management alike. It must be clearly communicated and understood by all employees.

B. **Safety Rules**

Along with Company policy, our safety rules are the start of our disciplinary process. This is so important, the rules are restated here:

- All injuries must be reported to your supervisor immediately.
- Immediately report unsafe conditions in the workplace, including defective tools or other equipment, to your supervisor.
- Established safe job procedures must be followed by all employees. Deviations from established procedures require the approval of your supervisor.
- If unsure how to operate a machine or perform any assigned task – ask your supervisor before proceeding
- Do not remove guards from machines.
- Personal protective equipment must be worn or used in any area for which it has been issued.
- Use only the proper tool for the job. Do not use defective tools or equipment. If the proper tool is not available, request assistance from your supervisor before proceeding.
- Get assistance in lifting any item which is so bulky, awkward, or heavy that you feel you are unable to lift it safely.
- If a repetitive task causes you discomfort, or you feel it is unsafe or unhealthy, report it to your supervisor immediately.

DISCIPLINE—RIGHTS AND RESPONSIBILITIES

- Alcohol and other drugs are prohibited in the workplace (and on Company premises).
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Policy: Company safety and health policy and safety rules are to be communicated clearly to every employee.

Procedure—Communication of Safety Policy and Rules

Every employee is to be given a copy of our Company's safety and health policy along with our safety rules. These materials are to be reviewed with the employee and the employee must indicate they understand both policy and rules. This is documented on the Employee Safety Orientation Form. This form is kept in the employee's file.

DISCIPLINE—RIGHTS AND RESPONSIBILITIES

2. They can't do the job

A. The job is not designed properly.

Sometimes a job is structured in such a manner that it is impossible (or impractical) for the employee doing the job to do it safely. Lifting and material handling tasks are good examples. The workstation might be arranged in such a fashion that an employee would be forced into an unsafe lifting position.

Policy: Supervisors are to review all job procedures to ensure that the task can be completed safely.

Procedure—Task Analysis

Supervisors will review all regular job assignments to assure they can be done safely. This involves breaking the job down into steps, assessing the hazards of each step and then establishing the correct (safe) procedure for each step. This analysis is done using the JOB HAZARD ANALYSIS Form.

B. We have the wrong employee for the job.

Physical limitations of individuals must be considered when making job assignments.

3. They don't know how to do the job

This is an obvious failure of our training programs.

Policy: Supervisors are to make sure safe job procedures have been established and all employees have been trained in the correct job procedure.

4. They don't want to do the job.

It would be easy for us to jump to the conclusion that discipline is the obvious answer. However, while effective as a last resort, discipline is generally inadequate as a method to achieve long range behavior correction.

The task of our management team is to change unsafe behaviors by:

DISCIPLINE—RIGHTS AND RESPONSIBILITIES

- Recognizing (rewarding) safe performance

It is important that supervisors and managers recognize correct job performance – and compliment employees for it – as often as they point out, and correct, unsafe behavior.

- Corrective (punishing if necessary) unsafe behaviors.

Policy: Unsafe job procedure is not to be tolerated. Any member of management observing unsafe job behavior is expected to bring it to the attention of the person's supervisor. Supervisors are expected to take steps immediately to correct the behavior.

If the disciplinary process is required to correct unsafe employee behavior, make sure the employee understands our safety rules and correct work procedures that are required to do the job in a safe and healthy manner. The employee is to be reminded of the consequences of violation of safety rules. This was covered during Employee Safety Orientation.

As a manager or supervisor you must make sure our disciplinary policy is clear and uniformly enforced. This means that everyone is aware of our policy and everybody is treated equally. There are no exceptions to these rules.

When disciplinary measures must be used, the following four step procedures must be followed:

1. The first time an infraction (unsafe behavior) is noted the supervisor should discuss the behavior with the employee and make sure the employee understands the safe way to do the job and also the consequences that will result if there is a repeat infraction.
2. The second violations must generate a written warning or documented verbal warning. A copy must be placed in the employee's personnel file.
3. The third violation results in the employee being placed on probation – or suspended, depending on our agreements. This action should be taken in cooperation with our personnel department. Referral to qualified counselors may be helpful at this point if the supervisor suspect's personal problems are impacting employee performance.
4. The final violations will result in the employee being terminated. This action will be taken through our personnel department.

HAZARD COMMUNICATION STANDARD

The Hazard Communication Standard, California Code of Regulations, Title 8, Section 5194, is a regulation established by Cal/OSHA. The purpose of the regulations is to ensure that all chemicals are evaluated for hazardous properties and the employees working with these chemicals are informed on those hazards.

The standard requires that every business using hazardous chemicals establish a comprehensive hazard communication program.

The four basic elements of a hazard communication program are:

1. A written program that details the Company's plan.
2. An inventory of hazardous materials, with a Material Safety Data Sheet for each material readily available to employees.
3. Labeling of all containers of hazardous materials in the workplace.
4. An employee training program, actively informing employees of potential hazards associated with these materials and the precautions they should take when using these materials.

The following pages outline our Company's policies and procedures to comply with this standard and to ensure effective hazard communication to workers in order to reduce the potential of chemical mishaps.

1. **Written Hazard Communication Plan: Company Policy**

A. **Purpose**

The purpose of this program is to inform you of Company policy in compliance with the Cal/OSHA Hazard Communication Standard, California Code of Regulations Title 8, Section 5194. Our company will comply with this requirement by developing a comprehensive hazard communication program to ensure that information on the hazards of chemicals used in the workplace is communicated to employees. This will be accomplished by accumulating Material Safety Data Sheets (MSDS's), labeling containers, and by providing employees with training,

This program applies to all work operations in our Company where you may be exposed to hazardous substances during normal working conditions or during an emergency situation. Under this program you will be informed of the contents of the Hazard Communication Standard, the hazardous properties of

HAZARD COMMUNICATION STANDARD

chemicals with which you work, safe handling procedures, and measures to take to protect yourself from these chemicals.

B. Responsibilities

Program Administrator: Responsibility and authority for hazard communication is assigned to the Director of Safety and Compliance, who is responsible for ensuring that employees have been trained as to the hazards and safety procedures for the chemicals that they use. The Director of Safety and Compliance will:

1. Establish the written Hazard Communication Program;
2. Monitor by use of the MSDS the hazards of the chemicals that come on site;
3. Monitor the dissemination of MSDS for chemicals used on site.
4. Ensure employee access to MSDS;
5. Establish and ensure specific hazard communication training for employees;
6. Assure that all containers of chemicals in the workplace are properly labeled.
7. Review and update the program as necessary.

C. Hazard Evaluation

We will utilize the data provided to us by chemical producers or distributors for information on physical and health hazards associated with the chemicals purchased. This information is usually transmitted in the form of Material Safety Data Sheets.

D. Labeling

All hazardous chemical containers in work areas shall be labeled with either the producer's original label or an in-house chemical hazard identification label. The requirement applies to squeeze bottles, corrosive sinks, bottles, drums, tanks, etc.

While the law would allow us not to label portable containers, provided the chemicals are intended for the immediate use by the same employee after transfer, our policy is to label all containers of chemicals in the workplace when possible.

Labels will include the names of the hazardous substances in the containers, hazard warnings listing physical hazards, and acute and chronic health hazards.

HAZARD COMMUNICATION STANDARD

E. Material Safety Data Sheets

Material Safety Data Sheets (MSDS) provide you with specific information on chemicals you use. The Director of Safety and Compliance will maintain a binder of MSDS's. Additional MSDS's will be made readily available to you at your work stations during your shifts by your supervisor, who will maintain a binder of MSDS's for all hazardous materials in your workplace. All new chemical procurement for the Company must be cleared by the Director of Safety and Compliance.

On an annual basis, a complete chemical inventory will be performed to ensure that Material Safety Data Sheets have been obtained for all hazardous chemicals used. This inventory list will be available for inspection by employees, auditors, and appropriate regulatory agencies.

Binders containing MSDS's are available for inspection and are located in the following areas:

1. The Safety Center located near the mechanics entrance at 927 E. Black Diamond Way.
2. The Safety Center located just outside the Shop Foreman's office at 401 Flamingo Road, Modesto.

These binders will be updated as new chemicals are introduced into the individual work areas. All employees are to have access to these binders at all times. Restriction of access is prohibited.

F. Training

Everyone who works with, or is potentially exposed to, hazardous chemicals will receive initial training on the Hazard Communication Standard and the safe use of those hazardous chemicals by the Director of Safety and Compliance and the immediate supervisor of the department or area where chemicals are used. Whenever a new hazard is introduced, additional training will be provided.

The training plan will emphasize these items:

1. Summary of the standard and this written program.
2. Physical and health hazards of chemicals used in the workplace
3. Steps employees should take to protect themselves from these hazards, including appropriate work practices, personal protective equipment, and emergency procedures for spills and leaks.
4. Explanations of the labeling system and MSDS's and how employees can use the information.

HAZARD COMMUNICATION STANDARD

5. Where MSDS's are located, access to MSDS's and the written hazard communication program, and how employees may obtain additional hazard information.

The training program will be periodically reviewed and altered as necessary to insure effective training for employees. Training is required when the hazard changes or when a new hazard is introduced into the workplace, but it will be Company policy to provide training regularly as part of ongoing safety meetings to ensure the effectiveness of the program.

G. Non-ROUTINE Tasks

Employees who may be involved in non-routine tasks and emergency situations will be trained regarding associated chemical hazards. Records will be document this extra training. Non-routine tasks are those performed infrequently, such as gas cylinder change out, laboratory maintenance, and emergency situations (i.e. responding to and cleaning up, chemical spills and leaks).

H. On-Site Contractors

On site contractors shall be informed of chemical hazards to which their employees may be exposed while working at the Company. The Director of Safety and Compliance has the responsibility of making available to contractors and their sub-contractors information normally available to the companies own workers. Contractors and sub-contractors are responsible for training their own workers.

2. Labels

All hazardous material containers in the workplace must be labeled with either the manufacturer's original label or a Company label. This requirement applies to chemical bottles, wet sinks, tanks, squeeze bottles, etc. All labels on containers received from producers are considered primary warning labels. Manufacturer labels must not be removed, defaced, or altered as long as the chemical is in use.

Containers used in-house which are not original chemical containers (squeeze bottles, process containers, tanks, etc.) will also be labeled. Labels will include the chemical or trade name at the top of the label and appropriate hazard warnings indicating physical (e.g. flammable, corrosive) and health (e.g. may cause lung irritation if inhaled). The label may also list personal protective equipment requirements (e.g. gloves) and cautions against unsafe practices or conditions (e.g. keep away from solvents).

Any employee who transfers or pours hazardous materials from any bottle, tank, or other container must place a label as indicated above on the receiving container. The only exception to the labeling requirement is if the employee is going to use the

HAZARD COMMUNICATION STANDARD

chemical at that time. Tanks containing more than one hazardous substance will list each of the hazardous substance separately with hazard warnings appropriate to each substance.

Piping systems and pipes are exempt from the labeling requirements, though labeling of piping is strongly encouraged and will be done whenever practical.

3. **Material Safety Data Sheets**

The Material Safety Data Sheet (MSDS) is a detailed information bulletin prepared by the chemical producer. The MSDS describes the physical and chemical properties, physical and health hazards, routes of exposure, precautions for safe handling and use, emergency and first aid procedures, and control measures. The information provided on the MSDS assists us in selecting safe chemicals and helps us to respond effectively and safely to daily use situations.

Policy: We will maintain a complete and accurate listing of Material Safety Data Sheets. Each hazardous chemical that issued in the facility will have a MSDS.

Procedure—Maintaining MSDS

The purchasing Department will be responsible for requesting an MSDS for any new chemical purchase. Other employees requesting a chemical from a vendor (such as on a trial basis) will ensure that an MSDS is received prior to or with the chemical shipment. Shipping and Receiving is authorized to deny the acceptance of any chemical for which an MSDS has not been received.

MSDS Master File

A master file of current MSDS's shall be maintained by the Director of Safety and Compliance. If necessary, additional complete sets of MSDS's may be kept in the Maintenance Office (Purchasing Department). In addition, the Director of Safety and Compliance is to maintain a list of all the hazardous chemicals in the master MSDS file. This list will be available for inspection by employees, auditors and appropriate regulatory agencies.

MSDS Area Binders – Three ring binders containing MSDS's for chemicals used in individual chemical use areas will be maintained. These binders will only contain MSDS's for chemicals used in that area. MSDS Binders may be located in other major chemical use areas. These binders will be updated as new chemicals are introduced into the individual work areas. All employees are to have access to these binders at all times. The binders will be placed in convenient locations in the work area where no

HAZARD COMMUNICATION STANDARD

special authorization is required to review their contents. Employee restriction of access to MSDS is not permitted.

When new and significant information becomes available concerning a product's hazards, chemical producers are required to provide the users with the updated information.

On an annual basis a complete chemical inventory will be performed. The purpose of this inventory is to audit the influx of chemicals into the workplace and ensure that MSDS's are available for all hazardous materials.

4. HAZARD COMMUNICATION TRAINING

The law requires that we provide employee information and training on hazardous materials that are used, handled, or stored in the workplace. This must be accomplished at the time employees begin their initial assignment and whenever a new chemical hazard is introduced into the work area.

Policy: It is our policy that each training program will actively instruct employees as to the potential hazards of the chemicals they work with and how they should work safely with the materials. This training is to be conducted during new employee orientation; however, it must occur prior to the worker's actual exposure to the chemicals in the work area. Current employees who have not been trained yet should be trained as soon as practical.

Procedure: Hazard Communication Training

Training programs will focus on the types and hazards of the chemicals with which employee's work and to which they may be exposed during their daily activities.

Employees should be trained in the following:

1. Operations in there work areas in which hazardous materials are used.
2. The name and physical characteristics (color, odor, gas, liquid, etc.) of these chemicals.
3. Methods used to detect the presence or release of chemicals in the workplace)i.e. odor, monitoring, etc.).
4. Any potential health hazards associated with the use of the chemicals including signs and symptoms of exposure to chemicals.
5. How to read and understand Material Safety Data Sheets. The location and availability of MSDSs.

HAZARD COMMUNICATION STANDARD

6. Information provided by labels, Details of the labeling system.
7. Proper handling of chemicals to protect from the hazards, including appropriate work practices, personal protective equipment and emergency procedures and equipment (eyewash, showers, etc.).

Employees must be trained of the hazards associated with non-routine activities. This includes tasks performed infrequently or activities employees have not performed previously. Examples include tank cleaning, chemical spill clean up, and gas cylinder changing.

Supervisors are responsible to make sure every employee receives instructions as to the hazards of the chemicals that they use. Regular safety meetings will also be used to review the information presented in the initial training.

Records must be kept of all employees instructed and the topics covered.

Tiger Lines, LLC, Inc.

EMERGENCY ACTION PLAN

EMERGENCY ACTION PLAN

Cal/OSHA requires employers to have an Emergency Action Plan. The purpose of the plan is to eliminate or minimize hazards to employees in the event of a fire or other emergency. This program is designed to follow the Emergency Action Plan required for most businesses.

This program includes:

- A. Location of the plan
- B. Minimum plan requirements
- C. Designation of escape procedures and exit routes.
- D. Procedures for critical operations.
- E. Accounting for employees
- F. Rescue and medical duties
- G. Emergency reporting
- H. Alarm systems and notification of emergencies.
- I. Types of evacuation in emergency circumstances
- J. Identification of specially trained personnel
- K. Sources for employees to obtain further information about the plan.

This emergency action plan follows the Cal/OSHA requirements for a written program found in Cal. Code Reg. Tit 8, section 3220. Further information on alarm systems can be found in Cal. Code Reg. Tit. 8, section 6184.

Employees covered

All employers must have a plan.

PURPOSE

This plan is for the safety and well being of the employees of Tiger Lines, LLC. It identifies necessary management and employee actions during fires and other emergencies. Education and training are provided so that all employees know and understand our emergency action plan.

A. Location of Plan

The emergency action plan can be found at the station or office of each Supervisor, Manager and Department head. A copy is also maintained in the office of the Director of Safety and Compliance.

Upon request, an OSHA representative may obtain a copy of the plan from:

Mauro Torres, Director of Safety and Compliance

B. Minimum Plan Requirements

The emergency action plan must be in writing. The plan designates the employer and employee actions to ensure safety during fire and other emergencies. The plan is kept at the workplace and available for the employee to review.

The following must be and is in the plan:

1. Emergency escape procedures and escape route assignments
2. Procedures for employees who remain behind to operate critical operations equipment.
3. Procedures to account for all employees after emergency evacuation.
4. Identification of employee rescue and medical duties.
5. Preferred means of reporting fires and other emergencies.
6. Types of evacuation to be used in emergency circumstances.
7. Names and job titles of persons or departments who can be contacted for further information about the emergency action plan.

The emergency telephone numbers will be posted near the telephones and other conspicuous locations.

C. Escape Procedures and Exit Routes

All exits will remain unlocked during working hours. All employees must exit the facility in a quiet and orderly manner.

Exit 1 is designated as that exit located at the main entrance on the South side of the Office Building.

The following Departments/Areas and personnel must leave through Exit 1:

1. The Receptionist;
2. All office staff and visitors who are located west of the atrium and south of the ladies restroom at the time of the emergency.

Exit 2 is designated as that exit located at the Northwestern entrance to the office building.

The following Departments/Areas and personnel must leave through Exit 2:

1. All office staff and visitors who are located west of the atrium and North of the ladies restroom.
2. All office staff assigned to the Rating and Billing Departments.

Exit 3 is designated as that exit located at the Southeast of the office building and leads to the Drivers Break Room.

The following Departments/Areas and personnel must leave through exit 3:

1. All Drivers/employees who may be attending the driver's break room.
2. The Safety Department 3. The Operations Department.

Exit 4 is designated at those exits consisting of open-bay doors on the maintenance building.

The following Departments/Areas and personnel must leave through exit 4:

1. All maintenance personnel
2. Any other personnel that may be attending in the maintenance department.

D. Critical Operations

Cal/OSHA requires that we establish procedures for personnel who remain behind for critical shutdown operations. To minimize damage from the emergency, the following personnel are responsible for shutting down the listed critical operations:

Name	Location
Silviano Rodriguez	Computer room/telephone center
Ken Delvaux/Sergio Bueno	Main and auxiliary power boxes
All Department Heads	Personal computers in their department

As soon as shutdown is completed, the employees who performed critical operation shutdown must take the nearest exit route in accordance with general emergency procedures.

E. Accounting for employees

After exiting the facility, all employees are to assemble for roll call at this location:

The employee parking lot at the South end of the Terminal

The following employees are responsible for ensuring that all employees comply with this requirement, and that the exit is accomplished in an orderly manner as not to interfere with responding emergency personnel:

Name	Title
Mauro Torres	Director of Safety and Compliance
Ken Delvaux	Director of Maintenance
Judy Bakey	Office Manager

F. Rescue and Medical Duties

The following personnel are certified and trained in both CPR and General First Aid. These persons are to be contacted as specified in our general emergency training:

Name	Title	Phone Ext.
Mauro Torres	Director of Safety and Compliance	Ext. 228
Judy Bakey	Office Manager	Ext. 247
Joyce Vanotti	Equipment Control/Compliance Manager	Ext. 226
Chris Garrett	Parts Manager	Ext. 249

G. Reporting Emergencies

The following personnel have the duty of contacting the public responders to come to the emergency scene. The personnel are listed in descending order of availability:

Name	Title	Phone Ext.
Mauro Torres/Jo Vanotti	Director of Safety and Compliance	Ext. 228/ 226
Ken Delvaux	Director of Maintenance	Ext. 233
Judy Bakey	Office Manager	Ext. 247
Discovering Party		

H. Alarm Systems and Notification of Emergencies

In a facility emergency, employees will be notified as follows:

I. Word of Mouth

The employee alarm system provides warning for:

1. Necessary emergency action as called for in the emergency action plan
2. Reaction time for safe escape of employees from the workplace or the immediate work area, or
3. Both.

J. Training

Before implementing the Emergency Action Plan, the employer must identify and train sufficient personnel to assist in the safe and orderly evacuation of employees. The following people have been specially trained to do so:

Name	Title
Mauro Torres	Director of Safety and Compliance
Ken Delvaux	Director of Maintenance
Judy Bakey	Office Manager

Extinguisher Training:

Name	Title
Mauro Torres	Director of Safety and Compliance
Ken Delvaux	Director of Maintenance
Chris Garrett	Parts Manager
Tony Huddleston	Safety & Training Manager
Sergio Bueno	Maintenance Shop Supervisor
Clyde Garrett	Mechanic

On each employee's initial assignment, the employer will review those parts of the plan that the employee needs to know in an emergency. A record of this training will be kept in the Company office at the desk of the Director of Safety and Compliance.

The employer must review the plan with each employee whenever:

1. The plan is first developed
2. The employee's responsibilities or actions change, or
3. The plan is changed

K. Further Information

For further information or explanation about any duties under the Emergency Action Plan, Contact: Mauro Torres – Director of Safety and Compliance

Tiger Lines, LLC, Inc.

FIRE PREVENTION PLAN

The following Fire Prevention Program has been developed in accordance with the Cal/OSHA regulations title 9, section 3221.

Responsibility

Mauro Torres—Director of Safety and Compliance—Is solely responsible for all facets of this program and has the full authority to make necessary decisions to ensure the success of this program.

Will develop detailed written instructions where required by this program and will amend these instructions when necessary, as well as implementing training of supervisors and employees in the use of fire extinguishers and evacuation routes.

Department Heads—Are responsible for continued and remedial training of employees in the use of fire extinguishers and the use of the evacuation plan, and for providing any other training required by this program.

Fire Exits

Each workplace building must have at least two means of escape remote from each other to be used in a fire emergency.

Fire doors must not be blocked or locked to prevent emergency use when employees are within the buildings. Delayed opening of fire doors is permitted when an approved alarm system is integrated into the fire door design.

Exit routes from buildings must be clear and free of obstructions and properly marked with signs designating exits from the building.

Mauro Torres – Director of Safety and Compliance is responsible for inspecting fire exits. Inspections will be performed monthly.

Portable Fire Extinguishers

Each workplace building must have a full complement of the proper type of fire extinguisher for the fire hazards present.

Employees expected or anticipated to use fire extinguishers must be instructed in the hazards of fighting fire, how to properly operate the fire extinguishers available, and what procedures

to follow in alerting others in the fire emergency. Training will be provided by the person responsible for training, who is named on the first page of this program.

Only approved fire extinguishers are permitted to be used in workplaces, and they must be kept in good operating condition.

Tony Huddleston, Safety Manager—Will be responsible for a plan to maintain and inspect fire extinguishers at least monthly. All fire extinguishers will be inspected annually by an outside fire extinguisher Company.

In those situations where the employer wishes to evacuate employees instead of having them fight small fires, there must be written emergency plans and employee training for proper evacuation.

Emergency Evacuation Planning

Each workplace must have a written Emergency Action Plan for evacuation of employees that includes:

- A. Evacuation routes and procedures for all employees
- B. Procedures for accounting for all evacuated employees.
- C. Special procedures for evacuating physically impaired employees.
- D. Procedures for those employees who must remain behind temporarily to shut down critical operating equipment.
- E. The means of alerting employees to a fire emergency.
- F. The means for employees to report emergencies.

The written plan must be available for employee review.

An employee alarm system must be available throughout the workplace complex and must be used for emergency alerting for evacuation. The alarm system may be voice communication or sound signals such as bells, whistles, or horns.

Employees must be trained in:

- A. Recognizing the evacuation signal;
- B. Knowing their role in the emergency evacuation plan.

All new or transferred employees must be trained in the emergency evacuation program when beginning their job duties. All employees must be trained in any changes in the plan.

Fire Protection Plan

The Developer, who is responsible for developing detailed written instructions, as well as the Trainer, who is responsible for training employees about the plan, is named on the first page of this program.

Fire Prevention Plan

Stopping unwanted fires from occurring is the most efficient way to handle them.

Mauro Torres, Director of Safety and Compliance—Draft a written Fire Prevention Plan to complement the Emergency Action Plan to minimize the frequency of evacuation. The plan must include:

- A. Housekeeping procedures for storage of flammable materials.
- B. Cleanup procedures for flammable waste.
- C. Handling and packaging procedures for flammable waste, including recycling.
- D. Safety Rules regarding smoking, welding, and other burning within the workplace.

This written plan must be kept available for employee review.

Heat producing equipment such as burners, heat exchangers, boilers, ovens, stoves, fryers, etc., must be properly maintained and kept clean of accumulations of flammable residues. Heat producing sources will be inspected monthly.

Flammables are not to be stored close to these pieces of equipment.

All employees must be trained in the potential fire hazards of their jobs and in the procedures listed in the Fire Prevention Plan. All new or transferred employees must be trained in the Fire Prevention Plan when beginning their job duties. All employees must be trained in any changes in the plan.

The Developer, who is responsible for developing detailed written instructions, as well as the Trainer, who is responsible for training employees about the plan, is named on the first page of this program.

Fire Suppression System

Properly designed and installed fixed fire suppression systems enhance fire safety in the workplace. An automatic sprinkler system throughout the workplace is among the most reliable fire-fighting means. That type of system should detect the fire, sound an alarm, and put water where the fire and heat are located.

If an automatic fire suppression system is being used, the following regulations will become part of this program.

- A. Ken Delvaux, Director of Maintenance will maintain the automatic fire suppression system in serviceable condition under contract with the alarm Company provider.
- B. The Administrator of this program will name a fire watch of trained employees to respond quickly to any fire emergency for those times when it is necessary to disable the fire suppression system while the business continues to operate. The fire watch must comply with the Fire Prevention Plan and the Emergency Action Plan.

If the fire suppression system uses agents that are a serious health hazard (such as carbon dioxide, Halon 1211, etc.), the following regulations will become a part of this program.

- A. Signs will be posted in areas protected by the fire suppression system.
- B. The system will be equipped with an alarm system to warn the employees of the impending discharge and allow them time to evacuate the area.
- C. Mauro Torres, Director of Safety and Compliance will develop and Emergency Action Plan to provide for the safe evacuation of employees who could be exposed too hazardous fire suppressants. Employees will be trained in the fire suppression system evacuation program as part of the overall evacuation plan for the facility.

Tiger Lines, LLC, Inc.

LOCK-OUT/BLOCK-OUT WRITTEN PROGRAM

Background

Cal/OSHA requires that employers develop a written program for the safe maintenance of machinery and electrical equipment, including a detailed **lock-out/tag-out/block-out** procedure for use during maintenance.

Our Company's Lock-out/Block-out program follows Cal/OSHA's requirements for such a written program.

This program includes:

- A. Lock-out/Block-out procedures.
- B. Training Procedures.
- C. Forms to be used as part of the program.

Employees Covered

All employees that perform maintenance or service on hard-wired machines (any machine that cannot be disconnected by a plug) are covered.

When employers perform their own service or maintenance on machines and equipment, it must be done with the machine or equipment stopped. All sources of energy must be disconnected. The energy devices for that machine or equipment must be locked-out and/or blocked-out under documented procedures.

This Lock-out/Block-out Program follows the Cal/OSHA requirements for a written program found in Cal. Code Red. Tit 8, section 3314. Employees must be trained in Lock-out/Block-out procedures reviewed at least annually.

Purpose

The accidental or unexpected starting of any machinery or electrical equipment can cause injury or death.

Before ANY inspections or repairs are made on electrical equipment, power should be turned off at the switch box and the switch locked in the OFF position (locked-out). The switch or controls should be securely tagged to show that the equipment or circuits are being worked on (tagged-out). Whenever possible, the electrical circuit should be blocked so no electrical connection can be made to the circuit (blocked-out).

Machinery being inspected or repaired must be isolated from all potentially hazardous energy sources, which must be locked-out and blocked-out. The machinery must also be free from all residual or accumulated energy before employees may perform any servicing or maintenance activities, if the unexpected release of stored energy could cause injury.

Responsibility

Appropriate employees will be instructed in the safety significance of the lock-out/block-out procedures as well as how to use those procedures by:

Mauro Torres, Director of Safety and Compliance

Only authorized employees may lockout or block-out machines or equipment. Authorized employees are identified on each Hazardous Energy Control Procedure Form.

Affected employees and any other employee whose work operations are or may be in the area will be instructed in the purpose and use of the lock-out/block-out procedures by:

Mauro Torres, Director of Safety and Compliance

Affected employees or their job titles are identified on each HAZARDOUS ENERGY CONTROL PROCEDURE Form. They will be notified by the authorized employees whenever a lock-out/block-out or tag-out will occur, as well as when the equipment is being placed back in service.

It is the responsibility of management to approve all Hazardous Energy Control Procedures.

Approvals can be given by the following people:

Name	Title
Ken Delvaux	Director of Maintenance
Mauro Torres	Director of Safety and Compliance
Ken Delvaux	Maintenance Shop Supervisor
Tony Huddleston	Safety/Training Manager
Clyde Garrett	Mechanic (in absence of Ken Delvaux)
Sergio Bueno	Mechanic Leadsman (Night Shift)

Training

Training will be given on lock-out/block-out and tag-out procedures for all equipment or machines by:

Ken Delvaux, Director of Maintenance

Authorized and affected employees will be trained in the following:

- A. Review of the requirements of Cal. Code Reg. Tit8, section 3314, Cleaning, Repairing, Servicing, and Adjusting Prime Movers, Machinery, and Equipment.
- B. Types and magnitudes of energy sources
- C. Lock-out and/or Procedure for isolation of energy sources
- D. Procedures for removing locks/tags or blocks.
- E. Procedure for restoring energy.

Authorized employees will be given training before any involvement in lock-out/block-out or tag-out procedures.

Affected employees will be given training at the time of hiring.

Retraining will be provided whenever there is a change in job assignment, whenever there is a change in equipment or process that would create a new hazard, or whenever a change would occur in this Company's Hazardous Energy Control Procedures.

A list of trained employees and the dates of their training will be maintained by:

Name	Title
Ken Delvaux	Director of Maintenance
Mauro Torres	Director of Safety and Compliance

Procedure—Individual

Preparation for lock-out/Block-out or Tag-out

Obtain the proper Hazardous Energy Control Procedure for the equipment or machine to be effectively blocked (locked-out or tagged-out).

Identify all affected employees by name (or job title) who may be involved in the impending lockout and/or tag-out.

Lock-Out or Tag-Out System Procedure

All equipment must be effectively blocked in accordance with the following procedure to protect against accidental or inadvertent operation when operation could cause injury to personnel.

- A. Power-driven machines or equipment that have or are adaptable to lockable controls must be locked-out in the "off" position during repair or service work. Machines or equipment that neither have nor are adaptable to lockable controls must be de-energized, disconnected from the source of power, or otherwise prevented from moving.

- B. Notify all affected employees that a lockout or tag-out system is going to be used and the reason for it. The authorized employee will know the type and magnitude of energy that the machine or equipment uses and will understand the associated hazards.
- C. Shut down the equipment by normal stopping procedures. Operate the equipment to be sure it is *off*. Operate the switch, valve, or other isolating devices so that the equipment is isolated from its energy sources. Stored energy must be dissipated or restrained by methods such as repositioning, blocking, bleeding down, etc.
- D. Lockout and/or tag-out the energy isolating devices with assigned individual locks or tags.
- E. When a shop employee is performing any kind of repairs, and or maintenance to a vehicle, Truck or Trailer, the employee working on or around the equipment is required to lock out or disable the unit. If you are working on a power unit take the keys out of the ignition and put them in your pocket, or some place that they are safe. This will prevent a driver or other person from entering and starting a unit that is being worked on. If for some reason the repairs required that the ignition is to be turned on, that repair must be performed inside the shop where drivers are not going to be allowed in their vehicle until pulled out by the mechanic making the repairs.

If you are performing repairs to a trailer which is connected to a power unit, you are required to remove the keys from the unit. If ignition power is required, the trailer must have the airlines removed and the trailer must have a glad hand lock installed.

Note: Combination locks are prohibited from use in any lockout of machines or equipment. Tag-out devices must be of a non-reusable type, attachable by hand, self-locking, and non-releasable with a minimum unlocking strength of at least 50 pounds.

- A. Do not attempt to operate any switch, valve, or energy-isolating device when it is locked-out or tagged-out.

Testing Equipment to Ensure Power is OFF

After ensuring that no personnel are exposed, check that all energy sources are disconnected by operating the push button or other normal controls to make certain the equipment will not operate.

Caution—Return operating controls to the 'neutral' or 'off' position after test.

The equipment is now locked-out or tagged-out.

Restoring equipment to Normal Production Operation

An authorized person is responsible for the following before re-energizing equipment or systems that have been de-energized:

- A. Checking to be sure that all persons are clear of hazards from re-energizing.
- B. Ensuring that all tools have been removed from the equipment and that all guards have been re-installed.
- C. Supervising the removal of locking devices and tags.

(Note: Locking devices and tags generally may be removed only by the employee who placed them there. An exception applies for an employee who has left the premises and is unavailable. Then other persons may remove the locking devices and tags in accordance with a detailed employer procedure.)

Only the following employees are authorized to re-energize equipment:

Name	Title
Ken Delaux	Director of Maintenance
Sergio Bueno	Maintenance Shop Supervisor
Clyde Garrett	Mechanic (in absence of Ken Delvaux)

Procedure—Group

Before any group lock-out/Block-out or tag-out is implemented, this procedure will be reviewed with all personnel affected by or authorized to implement the group lock-out/block-out or tag-out.

- A. One authorized employee will coordinate the lock-out/block-out or tag-out procedure for all group lock-out/block-out events.
- B. Each employee will affix his or her lock or tag to the equipment being serviced or having maintenance performed on it.
- C. No employee will be allowed to remove another employee's lock or tag. Each employee will remove his or her own lock or tag when his or her part of the operation is completed.
- D. When service or maintenance will involve more than one shift, members of the off-going shift will remove their locks and/or tags as the members of the on-coming shift apply their locks and/or tags.

When equipment has room for only one lock, the coordinator of the procedure will place the lock on the equipment and place the key in a cabinet or box. Each employee will affix his or her lock to the cabinet or box.

Outside Service or Contractor Personnel

Outside personnel or contractors who may be affected by the lock-out/block-out procedures must submit their energy control procedures to: **Ken Delvaux, Director of Maintenance.**

Affected employees of this Company will be trained and notified of the proper procedures by: **Ken Delvaux, Director of Maintenance.**