

06/01/2010

**FLORIDA POWER & LIGHT COMPANY
CONTROLLED SUBSTANCES AND ALCOHOL ABUSE POLICY**

OBJECTIVE

FPL is firmly committed to provide its employees with a safe workplace to the extent reasonably possible, and to promote high standards of employee health. Accordingly, this policy is hereby revised effective June 1, 2010 for all bargaining unit employees of FPL.

The Company expects all employees and contractors to report to work able to perform their duties safely. Controlled substances and alcohol abuse by employees or contractors is regarded as an unsafe work practice by creating an increased risk to their safety and the safety of their fellow workers and the public. Substance abuse is considered to be any use of illegal drugs or controlled substances without a valid prescription and/or the misuse of alcohol or prescription or over-the-counter medication.

DEFINITIONS

Alcohol - For the purpose of this policy, "alcohol" means the intoxicating agent in any beverage, mixture or preparation, including any medication, which contains alcohol, ethyl alcohol or other low molecular weight alcohols such as methyl alcohol and isopropyl alcohol; and "alcohol use" means the consumption of any such beverage, mixture or preparation.

Controlled Substances - This policy prohibits the use of any controlled substance not lawfully prescribed by a physician or misuse of a lawfully prescribed controlled substance. Any drug test required under this policy will test for the presence of the following substances:

- 1) Marijuana
- 2) Cocaine
- 3) Opiates
- 4) Amphetamines
- 5) Phencyclidine

VIOLATIONS

Possession, use, manufacture, distribution or sale of controlled substances at any time on or off the job; a positive test result for controlled substances; or the refusal to test for controlled substances or alcohol is grounds for immediate discharge for Company employees and denial of access for contractors.

Possession, use, distribution or sale of alcohol or prescription or over-the-counter medication (except as described within this policy) during an employee's working hours or in a Company vehicle, or consumption of, or the possession of open containers of alcohol on Company property, or in a Company vehicle at any time, or in a personal vehicle while being used for Company business, will result in discipline up to and including discharge for Company employees.

TEST RESULT

A confirmed positive test result for controlled substances will result in immediate discharge for Company employees and denial of access for contractors.

A confirmed positive test result for alcohol, or the misuse or abuse of alcohol, legally prescribed drugs, or over-the-counter medication (as determined by the Medical Review Officer), will result in the following:

1. For the first offense, FPL employees will be suspended without pay and contractors will be denied access, pending an evaluation by an EAP-approved substance abuse professional and/or Medical Review Officer. Should this evaluation result in the determination that the individual requires rehabilitation prior to returning to work, failure to comply with any condition of the prescribed rehabilitation program or failure to cooperate will result in discharge. Individuals who return to work after successfully completing a rehabilitation program will be subject to a "return-to-duty" test and thereafter to unannounced "follow-up testing" for a period of three (3) years from the date the individual returns to work.
 - a) If the individual cooperates in the evaluation and rehabilitation process (when required and as determined by FPL, the suspension without pay will not exceed five (5) days.
 - b) If the individual is in a Company-approved, in-patient or out-patient treatment program, accrued sick leave time may be used for the duration of the treatment.
2. A second offense during the three (3) year follow-up testing period will result in discharge for FPL employees and denial of access for contractors.
3. A second offense after the three (3) year follow-up testing period will result in repeating step 1.
4. A third offense at any time in the future will result in immediate discharge for FPL employees and denial of access for contractors.

SAFETY-SENSITIVE POSITIONS

An employee and/or contractor found to have an alcohol concentration of **0.02 or greater, but less than 0.04** will be disqualified from performing or continuing to perform any safety-sensitive functions, including but not limited to driving a commercial motor vehicle, until the start of that individual's next regularly scheduled duty period, but not less than 24 hours following the administration of the test. The employee will be sent home without pay for the remainder of that day. Contractors will not be permitted to remain on FPL property for the remainder of that day.

PRESCRIPTION AND OVER-THE-COUNTER (OTC) MEDICATION

Any individual taking prescribed medication is required to consult with his/her physician(s) to determine whether the medication may have an adverse effect on performance. Individuals taking OTC medication are responsible to be aware of any adverse effects it may have on their performance as defined on the manufacturer's label. If prescribed or OTC medication being taken may have an adverse effect on performance, the individual is required to notify his/her supervisor upon reporting to work. Individuals taking prescription medication must be prepared to provide satisfactory, verifiable proof that the medication has been prescribed to them and that it is necessary for the individual's current medical condition. Possession of the prescription bottle will be acceptable proof. Failure to inform supervision of taking prescription or OTC medication which may have an adverse effect on performance may result in discipline up to and including discharge for Company employees and denial of access for contractors.

ALCOHOL

Exceptions to the policy regarding alcohol are the possession of sealed containers in personal vehicles in Company parking areas, and alcoholic beverages served on or off Company property with the approval of the head of the business unit.

Any individual called to perform unscheduled work must state whether he or she has consumed alcohol within five (5) hours of the time he or she reports to work or are otherwise "unfit" for duty. Individuals who have consumed alcohol within the five (5) hour abstinence period will not be required to report to work except under conditions when:

1. The individual being called believes that he or she is fit for duty; and, based on information provided by the individual, supervision concurs with that determination.

OR

2. The individual's fitness for duty is verified by a breath analysis for alcohol prior to entering the work site and the individual believes he/she is fit for duty.

RANDOM TESTING

All employees will be subject to random testing for controlled substances and alcohol according to FPL policy.

All employees who are subject to the requirements of the Omnibus Transportation Employee Testing Act of 1991, including employees required to hold a Commercial Driver's License, will be subject to random testing for controlled substances and alcohol according to the federally mandated random testing rate.

NOTIFICATION

Upon notification by supervision, any individual selected for any test described in this policy must immediately report for testing, as instructed by the supervisor, at the designated place and time. Failure to report at the designated place and time will be considered a refusal to test.

POST ACCIDENT AND REASONABLE SUSPICION TESTING

All employees will be subject to "post accident" and/or "reasonable suspicion" controlled substances and alcohol testing while on company time and/or in use of company equipment. No employee required to take a post-accident alcohol test under the policy shall use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first. This testing will be required when there is reasonable suspicion that an individual is in violation of the substance abuse and alcohol policy and/or, but not limited to, the following:

All accidents resulting in a fatality, or

All accidents whereby the driver receives a citation under state or local law for a moving traffic violation arising from the accident, and there is physical injury to either party requiring off-site medical attention, or there is property damage requiring the vehicle to be towed away from the accident site.

All primary contacts

All flashes resulting in second or third degree burns

Incidents resulting in actual or potential significant damage to Company, customer or individual's equipment or facilities

Incidents involving personal injury

Other incidents which may be a pattern indicative of substance or alcohol abuse, such as excessive or abusive absenteeism/tardiness, deterioration in work performance or aberrant behavior.

RETURN-TO-DUTY AND FOLLOW-UP TESTING

Return-to-duty and follow-up testing will be required of any individual who returns to work in conjunction with a rehabilitation program. "Return-to-duty" testing will be performed immediately prior to the employee's return to work upon authorization from the appropriate substance abuse professional. "Follow-up" testing will be performed at unannounced intervals for a period of 36 months. A minimum of six (6) unannounced tests will be performed in the first 12 months following the employee's return to duty.

ASSISTANCE

For assistance in addressing a substance abuse concern, Company employees may refer themselves to any member of management (including but not limited to supervision, Human Resources, Employee Assistance Program [EAP], Member Assistance Program [MAP] for bargaining unit employees or approved outside EAP provider). An employee who self-refers is granted Self-Referral Rehabilitation Status once Company management has been notified of the self-referral by the employee. An employee who is granted Self-Referral Rehabilitation Status must cooperate and comply with any conditions of the prescribed rehabilitation program or will be subject to immediate discharge. An employee granted Self-Referral Rehabilitation Status will be permitted to use any paid or unpaid leave which the individual may have available. Employees will be allowed to self-refer no more than two (2) times during their employment at FPL for all conditions described under this policy.


Self-Referral by an employee must be requested prior to notification to that employee of being selected for random testing, or prior to any of the events listed above for post-accident and reasonable suspicion testing, or prior to notification of an investigation of the individual regarding controlled substance or alcohol abuse.

CONFIDENTIALITY

All information, reports, and drug test results received by FPL or its laboratories, employee assistance programs, drug and alcohol rehabilitation programs, and their agents as a result of this policy are confidential and shall be divulged only as provided by law.

SUMMARY

FPL believes the foregoing policy to be in the best interest of all employees, customers, shareholders and the community at large, and will strictly enforce the policy. Employees in certain specific safety-sensitive work situations may be subject to more stringent requirements such as, but not limited to, those associated with the Nuclear Fitness for Duty Program, the requirements of the Omnibus Transportation Employee Testing Act of 1991 and the Pipeline and Hazardous Materials Safety Administration.


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Date 6/4/2010


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Date 6/7/10