



## Supplier Safe and Secure Workplace Policy

The purpose of this Supplier Safe and Secure Workplace Policy ("Policy") is to provide a safe and secure workplace for employees of NextEra Energy, Inc., its subsidiaries and affiliates (collectively, "NEE"), and NEE suppliers, supplier employees, vendors, contractors, and consultants (individually, a "Supplier" and collectively referred to as "Suppliers"), NEE business visitors, NEE customers, and the public.

**EXCLUSIONS: Supplier work performed at any NEE nuclear power stations and facilities or on NEE premises outside the United States of America are outside the scope of this Policy.**

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### Personnel and Facilities Affected

This Policy applies to Suppliers, including any individual, partnership, corporation, limited liability company, company, business trust, joint stock company, trust, incorporated association, joint venture organization, and their employees, and subcontractors, responsible for performing work for or on behalf of NEE on NEE premises, NEE customer premises, NEE rights-of-way, NEE facilities (including facilities under construction) or NEE projects located **in the United States** and excluding nuclear power stations and nuclear facilities (collectively, "NEE Premises") for periods equal to or greater than **30 work days or 240 work hours, cumulative, per twelve month period.**

For example, this Policy applies to a Supplier who has:

- 30 employees who each work one full 8 hour day on NEE Premises in any twelve month period,
- Or
- only one employee who works 30 or more full 8 hour days on NEE Premises in any twelve month period.

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### Workplace Violence

NEE is committed to providing a safe and secure workplace. Supplier employees are expected to work in concert with NEE employees to ensure that the workplace remains safe and secure for all.

Behavior that could be perceived by a reasonable person as threatening or indicating the possibility of violence is prohibited. This may include, but is not limited to verbal threats, gestures, abusive language or physical altercation (fighting, shoving, etc.).

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### Notification of Supplier Employee Arrests

If a Supplier employee is arrested, Supplier must provide NEE notice within 24 hours after the time of arrest (or within 24 hours of Supplier employee's release from jail if incarcerated as a result of arrest) or prior to the start of Supplier employee's next scheduled shift on any NEE Premises, whichever is earlier. An "arrest" includes any arrest, charge, summons, notice to appear or indictment for the commission of, or participation in, a felony or misdemeanor (including criminal traffic violations, such as but not limited to driving under the influence, reckless driving, leaving the scene of an accident and driving with a suspended license). The only exception to this requirement is for "non-criminal traffic violations" not involving prosecuting authorities and where only a citation is issued (e.g., parking or speeding tickets) while in a non-company vehicle when the Supplier employee is off-duty.

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### Weapons Policy

Except where otherwise permitted by applicable law or NEE policy, the possession, introduction or the attempted introduction onto NEE Premises of any firearm, weapon, weapon components, ammunition (or a projectile that can be shot from a weapon), explosives, incendiary device, hazardous chemical, poison or biological agent, or any other material or device that can cause severe harm to persons or property, is prohibited. Possession shall include, without limitation:

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- On the Supplier's person
- In the Supplier's belongings
- In the Supplier's locker or work station
- Any other location on NEE Premises where the Supplier can access the prohibited item

For the purposes of this section NEE Premises shall include, without limitation:

- Any Company facility or work area
- Any Company owned or leased vehicle at any time, or
- A Supplier's personal vehicle while engaged in NEE business or activities unless otherwise authorized by state law.

It is the responsibility of each Supplier entering NEE Premises to ensure that prior to such entry, they are not carrying any of the aforementioned prohibited items. The possession, introduction or attempted introduction of the above mentioned prohibited items onto NEE Premises shall constitute a violation of this Policy and shall subject the Supplier to sanctions up to and including termination of the contract.

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## Controlled Substance and Alcohol Abuse

All Supplier employees must be fit-for-duty and report to work able to perform their duties safely. Any use or possession of any federally illegal drug or of a controlled substance without a valid prescription and/or the misuse of any prescription or over-the-counter medication by any Supplier employee shall constitute a violation of this Policy.

Any Supplier employee who is consuming or is under the influence of any alcoholic beverage while on NEE Premises shall be in violation of this Policy. Any of the above acts by supplier employees is an unsafe work practice which creates an increased risk to Supplier employee safety and the safety of others.

Additionally, Supplier employees may not unlawfully manufacture, sell, distribute, dispense, possess or use any controlled substance on NEE Premises. Please be advised that marijuana is considered an illegal controlled substance under federal law and is a prohibited controlled substance on NEE Premises.

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## Supplier Screening Obligations

This Policy does not automatically preclude anyone from working on NEE Premises based on a prior criminal record. However, it is the intent of NEE to maintain a safe and secure workplace for its employees, Suppliers, customers and the public. It shall be the duty of each Supplier to ensure that Supplier employees assigned to perform work on NEE Premises are drug free and do not demonstrate a propensity for illegal and/or violent behavior.

Upon start of assignment and on an ongoing basis, the Supplier also must comply with continuing obligations related to controlled substances and alcohol abuse and workplace violence.

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## Retention & Access to Supplier Records

Upon request, Supplier shall provide NEE or its designee timely access to those Supplier records necessary to ensure compliance with the requirements of this Policy. NEE or its designee may perform audits of Supplier's records, including but not limited to, Supplier employee screening records and all supporting documents concerning the eligibility of those Supplier employees performing work for NEE. These records must be maintained for the duration of the contract between NEE and Supplier plus two years. NEE's direct costs and the cost for any contracted audit services will be at the expense of NEE.

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## Pre-assignment Screening

Prior to assignment of any Supplier employee to NEE Premises, and unless otherwise prohibited by state law, Suppliers shall conduct a detailed pre-assignment screening to include, at a minimum, the following:

### Criminal Records Check:

No earlier than one-hundred eighty (180) days prior to start of assignment, Criminal records checked for criminal activity within:

- the state where NEE Premises are located or work is to be performed and
- other states in which the Supplier employee either resided or was employed within the preceding 7 years.

Supplier employees are not eligible to work on NEE Premises if the Criminal Records Check reveals a conviction or series of convictions, (to include pre-trial intervention, pleas of guilty, and nolo contendere), regardless of whether adjudication has been withheld, which display a propensity for violence, untrustworthiness or unreliability or which may be otherwise related to the work to which the Supplier employee is to be assigned.

In assessing whether a Supplier employee's criminal record displays a propensity for violence, untrustworthiness or unreliability or which is otherwise related to the work, the Supplier must consider (1) the nature and gravity of the conviction and underlying behavior; (2) the time that has passed since the conviction or completion of the sentence; (3) any evidenced recidivism and (4) the nature of the work to be performed by the Supplier employee for NEE.

### Drug Testing

Supplier must perform pre-assignment drug testing no earlier than ninety (90) days prior to start of assignment on all Supplier employees assigned to work on NEE Premises. Except as otherwise prohibited by law, the drug test required under this Policy will test for the presence of the following substances:

- Marijuana
- Cocaine
- Opiates
- Amphetamines, and
- Phencyclidine.

A positive test result for any federally illegal controlled substances or controlled substances not lawfully prescribed or for misuse of a lawfully prescribed controlled substance shall result in the denial of access of the Supplier employee to NEE Premises.

### Driving Record Check (If Applicable)

No earlier than one-hundred eighty (180) days prior to start of assignment, driving records must be checked for those jobs which require driving as part of the/work. A valid driver's license with no restrictions must be held by a Supplier employee (restrictions do not include any physical limitations) for any position requiring a driver's license. The results must demonstrate the following:

- No alcohol/drug-related driving offenses in the last 3 years.
- The license is not currently suspended or restricted as to hours of driving or reason for driving (i.e., for work purposes only).
- No more than two driving related violations in the past 24 months.

Supplier employees not meeting the required results set forth in this pre-assignment screening will not be allowed to perform work on NEE Premises. During the contract term, NEE reserves the right to revise the requirements for Supplier Employee pre-assignment screening applicable to Supplier. Any such revisions will be provided to the Supplier in writing. The Supplier may choose to accept the revisions or not accept the revisions and terminate the existing contract.

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## Pre-Assignment Screening for Supplier Employee with a Break in Provision of Services to NEE

If a Supplier employee previously provided services to NEE and was subject to the above pre-screening requirements, and the Supplier employee has had a break in the provision of services to NEE (of 1 day or greater), then the following applies to pre-screening criminal records, driving records, and drug requirements:

### Criminal Records Check and Driving Record Check (If Applicable):

- If the date of the completed Criminal Records Check and Driving Record Check (if applicable) for a Supplier employee is less than six months (or < 180 days) prior to the start of the new assignment, the Supplier will not be required to complete another Criminal Records and/or Driving Record Check for that Supplier employee. If the date of completion of the Criminal Records Check or Driving Record Check (if applicable) is more than six months (or > 180 days), a new Criminal Record Check and/or Driving Record Check is required.
- Note: If new assignment will require the Supplier employee to operate a vehicle in the course of that individual's job responsibilities and the previous assignment did not, a Driving Record Check must be performed.

### Drug Screen:

If the date of the completed Drug Screen is less than three months (or <90 days) prior to the start of the Supplier employee's new assignment, then the Supplier will not be required to complete another Drug Screen for that Supplier employee. If the date of completion is more than three months (or >90 days), a new Drug Screen is required.

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## Ongoing Screening Requirements: Controlled Substances and Alcohol Abuse

In addition to the requirements set forth herein, all Suppliers shall comply with all applicable state and/or federal laws regarding drug and alcohol testing of their employees that are assigned to NEE Premises. All testing performed pursuant to this Policy shall be at the drug and blood alcohol rates specified in the Omnibus Transportation Employee Testing Act of 1991.

### Ongoing Testing

All Suppliers must have in place a controlled substance and alcohol abuse policy.

Except as otherwise prohibited by applicable law, such policy must include a provision to test Supplier employees, on a random basis, at a rate of not less than twenty-five percent (25%) per year for Supplier employees. . Except as otherwise prohibited by law, Supplier must also perform "post-accident" and/or "reasonable suspicion" controlled substances and alcohol testing for those Supplier employees on NEE Premises.

No Supplier employee required to take a post-accident alcohol test under this Policy shall use alcohol for eight (8) hours following the accident or until he/she undergoes a post-accident alcohol test, whichever occurs first. Supplier shall immediately notify NEE (both verbally and in writing) of any accidents involving or caused by Supplier employees or subcontractors on NEE Premises.

Supplier employees will not be allowed access to NEE Premises until alcohol and drug tests are confirmed negative.

For those Supplier employees who are subject to federal drug and alcohol testing requirements, including Supplier employees required to hold a Commercial Driver's License, Supplier will test for controlled substances and alcohol according to mandated requirements and at the applicable federally mandated random testing rates.

Supplier employees will be denied access to or immediately removed from NEE Premises for:

1. possession or use of a controlled substance without a valid prescription
2. unlawful distribution or sale of controlled substances at any time on or off the job
3. positive test result for controlled substances without a valid prescription or alcohol
4. being under the influence of a controlled substance or alcohol, or
5. refusal to test for controlled substances or alcohol.

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## Prescription Medication and Over-the-Counter Controlled Substances

Supplier employees taking prescription medication are required to consult with their physicians to determine whether the medication may have an adverse effect on their ability to perform their job. Supplier employees taking over-the-counter medication are responsible for being aware of any adverse effects such medication may have on their performance as defined on the manufacturer's label. If prescribed or over-the-counter medication may have an adverse effect on performance, the Supplier employee is required to notify the Supplier prior to reporting to NEE's Premises. Failure to inform the Supplier's representative of taking prescription or over-the-counter medication which may have an adverse effect on performance may result in that Supplier employee's denial of access to NEE Premises. In all events, the Supplier is responsible for determining the fitness for duty of each of its employees.

Supplier employees taking prescription medications must be prepared to provide satisfactory, verifiable proof that the medication has been lawfully prescribed to the Supplier employee, and that it is necessary for the Supplier employee's current medical condition.

## Unscheduled Work - Call-out

Any Supplier employee called to perform unscheduled work at NEE Premises must state whether he/she has consumed alcohol within five (5) hours of the time he/she reports to work or is otherwise "unfit" for duty. Supplier employees that have consumed alcohol within the five (5) hour abstinence period shall not be permitted to work on NEE Premises except under conditions when the Supplier employee's fitness for duty is verified by Supplier by a negative breath analysis for alcohol prior to entering the NEE Premises. A negative breath analysis is a breath alcohol content level below .02%.

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## **Compliance & Violations**

In addition to and without limiting any other rights afforded NEE, the failure by a Supplier to comply with this Policy, shall constitute a material breach by the Supplier of its contractual obligations to NEE. Supplier's violation of this Policy may result in termination of the contract. Supplier employees that violate this Policy shall be removed immediately by the Supplier from NEE Premises, and/or denied access to any NEE Premises. Supplier shall immediately notify NEE Corporate Security of any violation or suspected violation of this Policy.

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## **Reporting Illegal Conduct or Workplace Violence**

NEE and Suppliers benefit from an atmosphere of good, ethical, and legal conduct. Suppliers with information concerning abuse of company assets, fraud, theft, possession or use of illegal drugs, threats of violence or any other behavior at NEE which may be considered illegal or in violation of this Policy, shall report that information immediately. Such information can be reported to the NEE Security Operations Center anytime, day or night, at 561-694-5000 or 888-694-6444.

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## **Non-Retaliation Commitment**

If Supplier observes or suspects any deviation from this Policy or any applicable NEE policy, it is Supplier's responsibility to report concerns. Supplier may report concerns through any of NEE's channels without fear of retaliation or negative impact on Supplier access to NEE Premises or contract commitments for having done so. NEE prohibits acts of retaliation against any person for reporting a possible violation in good faith, or for participating in any investigation. Acting in "good faith" means that Supplier provides a sincere, complete report that Supplier believes to be true. In other words, it does not matter whether Supplier's report uncovers actual misconduct, as long as Supplier delivers it honestly and with all relevant facts. Any Supplier who makes a bad faith report or who retaliates against another individual for making a good faith report may be subject to denial of access/removal from NEE Premises.

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## **Supplier Employee Acknowledgment**

Suppliers must make their employees aware of this Policy, and have Supplier employees acknowledge in writing prior to beginning work for or on behalf of NEE on NEE Premises.