



## MKS Human Rights and Labor Standards Policy

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MKS Inc. and its subsidiaries (collectively, “MKS” or the “Company”) are committed to upholding the human rights of workers and to treating them with dignity and respect. We are also committed to protecting the rights of women and minority groups and prohibiting the use of child labor and forced labor. Should we identify adverse impacts on human rights and labor rights as a result of our business activities, we are committed to providing for or cooperating to achieve fair and equitable remediation.

This Human Rights and Labor Standards Policy applies to all workers, including full-time and temporary employees as well as student, contract, and any other type of worker. In addition, it is applicable to our operations, suppliers, vendors, and partners, regardless of geographic location.

Violation of any portion of this policy may lead to disciplinary and/or other sanctions, up to and including termination of employment or engagement, in accordance with applicable law. Any worker who believes that he or she has been a victim of discrimination, harassment, violence, or any other violation of an element of this policy should immediately report the same to a manager, or a member of Human Resources or the Legal Department, as further set forth below.

### Alignment with International Standards

MKS is committed to respecting and promoting human rights in accordance with the United Nations Universal Declaration of Human Rights, the United Nations Guiding Principles on Business and Human Rights, the International Labour Organization (ILO) Conventions, and the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises.

### Respect in the Workplace

Together, we can solve our customers’ most challenging problems—but only if we maintain an environment where all voices are heard and valued. To attract and build teams that thrive, collaborate and innovate, we are committed to ensuring a working environment built on mutual respect, support and accountability. We share collective responsibility for promoting a positive work environment. We look to you to ensure that we maintain a culture of inclusion, diversity, collaboration, fairness and respect.

### Equal Employment Opportunity and Non-Discrimination

MKS is committed to providing fair and equal opportunities for employment and advancement. Your cooperation and participation are essential for us to achieve this.

MKS prohibits and does not tolerate discrimination against its workers or applicants based on race, color, religion, sex (including pregnancy and pregnancy-related conditions), sexual orientation, gender identity, gender expression, national origin, age, ancestry, physical or mental disability or handicap, mental illness, marital status, membership in the uniformed services, veteran status, political affiliation, union membership, genetic information or any other characteristics protected by applicable law (“Protected Categories”). All MKS workers and representatives are prohibited in engaging in unlawful discrimination.

It is MKS' policy to make employment and engagement decisions based on qualifications, merit, and capability. This policy therefore applies to all terms and conditions of employment, including recruiting, hiring training and development, promotion, compensation, benefit administration, transfer, discipline, layoff, and termination of employment, in accordance with applicable law.

Qualified workers shall be provided with reasonable accommodations as required by law for sincerely held religious beliefs or practices, disability, pregnancy and pregnancy-related conditions. In addition, workers or potential workers should not be subjected to medical tests or physical exams that could be used in a discriminatory way. MKS will treat personal data with the utmost confidentiality, although disclosures may be required under legislative, regulatory, or court requirements. Each situation will be evaluated on an individual basis, taking into consideration worker's health and job responsibilities.

## Humane Treatment

MKS prohibits harsh and inhumane treatment of its workers, including but not limited to sexual harassment, sexual abuse, corporal punishment, mental or physical coercion or verbal abuse or threat of any such treatment. Disciplinary policies and procedures prohibiting such conduct shall be clearly defined and communicated to workers.

## Harassment/Sexual Harassment Prevention

MKS is committed to providing a work environment that is free from harassment based on an individual's membership in a Protected Category. This includes sexual harassment. To ensure a productive and positive work environment for all workers, MKS will not tolerate any form of harassment by any worker, including by members of the management team, supervisors, coworkers, or by outside parties such as customers, clients, visitors, suppliers, vendors or contractors. Please note that, while this policy sets forth our goal of promoting a workplace that is free from harassment, it does not limit our authority to discipline or take remedial action for workplace conduct we deem unacceptable, regardless of whether it meets the legal definition of harassment. Harassment is not tolerated, whether on Company property, while traveling on Company business, at a customer, supplier or vendor site, or at a Company-sponsored function. Please note that sexual harassment can occur between individuals of the same gender and regardless of sexual orientation.

## Workplace Violence

MKS is committed to maintaining a work environment that is free from violence. Workers shall not bring weapons onto MKS property. Violent, threatening or intimidating behavior by any worker is considered unacceptable. It is absolutely essential for all MKS workers to participate in maintaining a safe workplace, which provides many benefits, such as positive morale, less stress, and an overall atmosphere of cooperation.

## Young Workers

Child labor is not to be used in any stage of manufacturing. The term "child" refers to any person under the age of fifteen (15), or under the age for completing compulsory education, or under the minimum age for employment in the country, whichever is greatest. Workers under the age of eighteen (18) shall not perform work that is likely to jeopardize their health or safety, including night shifts and overtime. MKS shall ensure proper management of student workers through proper maintenance of student records, rigorous due diligence of educational partners, and protection of students' rights

in accordance with applicable law and regulations. MKS shall provide appropriate support and training to all student workers.

## Combatting Human Trafficking; Freely Chosen Employment

MKS strictly prohibits trafficking in persons. These activities include, but are not limited to, forced labor, sex trafficking, unlawful child labor, using force, fraud, or coercion to subject a person to involuntary servitude, or obtaining labor from a person by threats of serious harm to that person or another person. MKS will not tolerate or condone human trafficking or slavery in any part of our global organization. MKS workers, subsidiaries, contractors, subcontractors, vendors, suppliers, partners and others with whom MKS conducts business must avoid complicity in any practice that constitutes trafficking in persons or slavery. This includes, but is not limited to:

- Engaging in any form of trafficking in persons.
- Procuring commercial sex acts.
- Using forced labor in the performance of any work.
- Destroying, concealing, confiscating, or otherwise denying access by a worker to the worker's identity or immigration documents.
- Using misleading or fraudulent practices to recruit employees, such as failing to disclose in a format and language understood by the applicant or worker, or making material misrepresentations regarding, key terms and conditions of employment.
- Using recruiters that do not comply with local labor laws of the country in which the recruiting takes place.
- Charging applicants recruitment fees.
- If required by law or contract, failing to provide return transportation or failing to pay for the cost of return transportation upon the end of employment.
- If required by law or contract, failing to provide or arrange housing that meets the host country housing and safety standards.
- If required by law or contract, failing to provide an employment contract, recruitment agreement, or other required work document in writing with legally required information and in a language the employee understands.

In addition, there shall be no unreasonable restrictions on workers' freedom of movement in Company facilities nor shall there be unreasonable restrictions on entering or exiting Company facilities. All work must be voluntary, and workers shall be free to leave work at any time or terminate their employment. The complete Statement on Combatting Human Trafficking is posted to the Company's website and is also available from the MKS Legal Department.

## Communication and Association

MKS strives to create an environment of trust where workers feel empowered to openly communicate with each other and management to share ideas and concerns regarding working conditions and management practices without fear of discrimination, reprisal, intimidation or harassment. MKS is committed to collaborating with workers on these issues, and complies with all local laws regarding workers' rights, including the rights to associate, organize, and collectively bargain.

## Wages and Benefits

Compensation paid to workers shall comply with all applicable wage laws, including those relating to minimum wages, overtime hours and legally mandated benefits. In compliance with local laws, eligible workers shall be compensated for overtime at pay rates greater than regular hourly rates. Deductions from wages as a disciplinary measure shall not be permitted. For each pay period, workers shall be provided with a timely and understandable wage statement that includes sufficient information to verify accurate compensation for work performed. All use of temporary, dispatch and outsourced labor will be within the limits of local laws.

## Working Hours

Studies of business practices clearly link worker strain to reduced productivity, and increased turnover, injury and illness. Working hours are not to exceed the maximum set by local law. Further, a workweek should generally not be scheduled for more than 60 hours per week, including overtime (as applicable), except in emergency or unusual situations. Workers shall be allowed at least one day off every seven (7) days.

## Health and Safety

Well-trained and aware workers are our best defense against preventable accidents. We emphasize individual responsibility for safety for all workers and at all levels of management. We believe every worker adds value to our team by reporting potential safety hazards and issues and we value your partnership in implementing solutions. We need your help to achieve these goals. We welcome, encourage and support your participation in our health and safety programs. Together, we can help foster a safe and healthy workplace as we continue to provide quality products as a responsible neighbor in our communities. We strive to conduct all business activities in a safe and responsible manner that respects our workers, customers, the environment, and the global community and adheres to the laws where we operate. Environmental, health and safety (EHS) considerations are fundamental to our business practices. Our goal is to ensure that all employees of MKS understand, promote and assist in the implementation of this policy, and to follow these principles:

- We will work to eliminate unsafe conditions in our workplaces and to prevent the occurrence of work-related injuries, illnesses and property losses.
- We are all responsible for performing our job activities in a safe and reasonable manner in accordance with safety training, job-specific instructions, and applicable EHS regulations. We will comply with all applicable EHS regulatory requirements.
- Any reported unsafe conditions and incidents will be investigated and corrected to our fullest ability.
- You will promptly report to your manager any occupational injury or illness.

- In the event of the occurrence of an occupational injury or illness to a worker, we will provide prompt medical care, prompt access to fair and appropriate benefits and a return to gainful employment whenever possible.
- Our leaders will be measured by their understanding, support and implementation of our health and safety programs.
- We will work together with our workers, customers, communities and other interested parties to continuously improve our health and safety programs.
- We will set and review health and safety goals and objectives with respect to protecting our workers from injury and illness.
- To maintain a safe work environment, every worker is expected to ensure that his or her performance is not impacted by the use of alcohol, marijuana, illegal drugs or prescription or over the counter medication. Moderate alcohol consumption is permitted at company-sponsored events.

## How to Report an Issue

Every worker has the responsibility to ask questions, seek guidance, report suspected violations and express concerns regarding compliance with this Human Rights and Labor Standards Policy. If a worker knows or believes that any worker or representative of the Company has engaged or is engaging in conduct that violates this policy, he or she should report this information to his or her manager, a Human Resources representative, or to the MKS Legal Department. Workers may also report any violations or suspected violations of this policy, on a confidential basis, through the MKS Compliance Hotline: online at [mksinst.ethicspoint.com](https://mksinst.ethicspoint.com), via mobile device at [mksinstmobile.ethicspoint.com](https://mksinstmobile.ethicspoint.com), or by toll-free telephone at 855-874-1532. Dialing instructions (including local access codes) when calling from outside of the U.S. are available at [mksinst.ethicspoint.com](https://mksinst.ethicspoint.com). Select your country to view dialing instructions.

While MKS encourages workers to identify themselves when reporting violations so that the Company may follow up with them, as necessary, for additional information, workers may report violations anonymously if they wish (unless anonymous reports are contrary to local law<sup>1</sup>).

Failure to comply with the standards outlined in this policy may result in disciplinary action, up to and including discharge. Certain violations of this policy may require the Company to refer the matter to the appropriate governmental or regulatory authorities for investigation or prosecution.

## Non-Retaliation

Individuals may make a report without fear of retaliation. The Company will not discipline, discriminate against, or retaliate against, any individual who makes a good faith report of discrimination, harassment, or any other violation of this policy, whether or not such information is ultimately proven to be correct.

## Administering the Policy

The Company may amend, alter or terminate this policy at any time for any reason. The most current version of this policy is posted on the MKS website.

If any provision of this policy is inconsistent or conflicts with any employee rules, requirements, policies or procedures or any applicable laws and regulations in effect in a particular jurisdiction, then the employee rule or local law will supersede such provision. This policy is also subject to the terms of any applicable agreement between the Company and any employee, works council, trade organization or similar employee representative body.

<sup>1</sup>The Company may be prevented from investigating and/or addressing matters raised in reports made anonymously, if contrary to the local laws of a particular country.