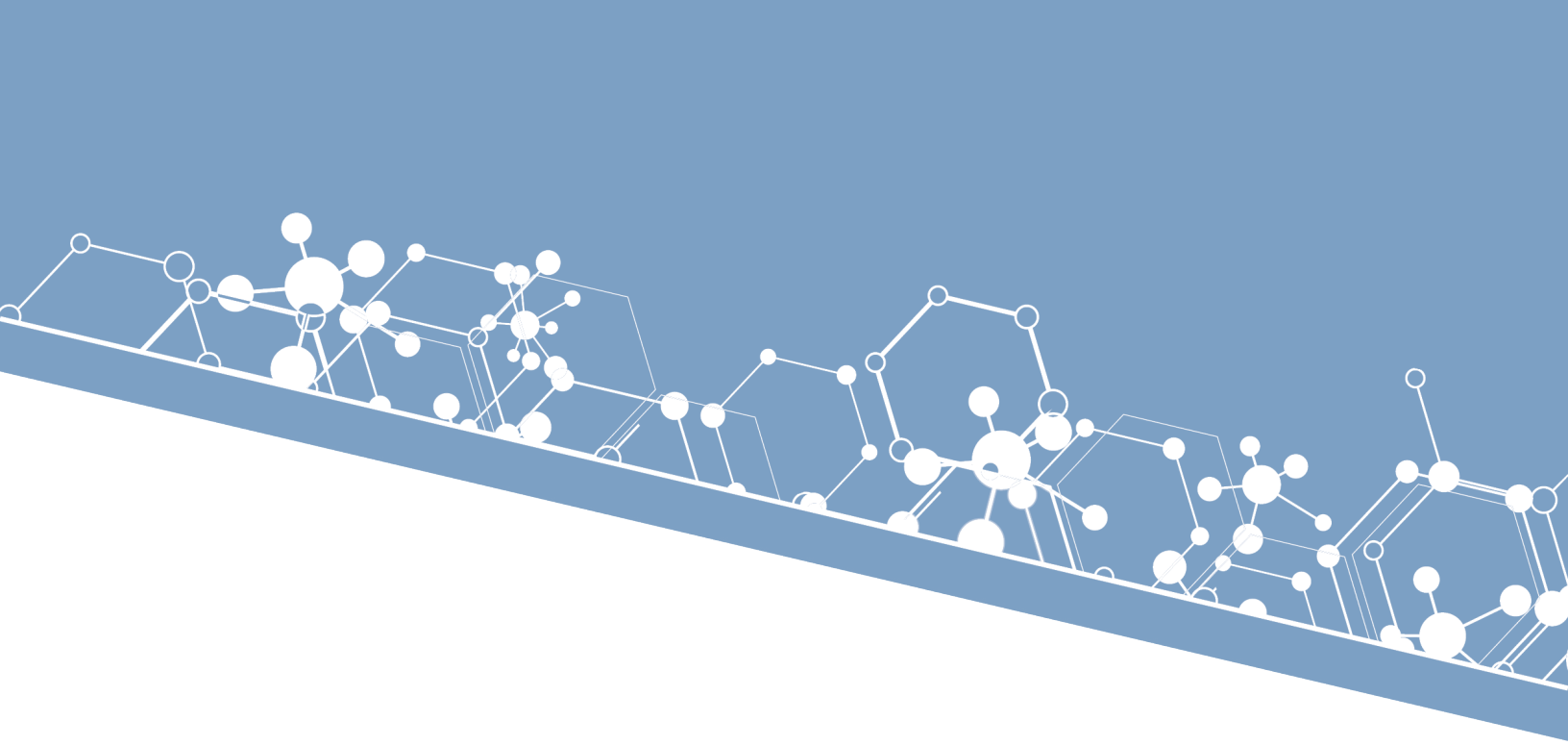
Supplier
Code of Conduct



mks



This Supplier Code of Conduct (this "Code") establishes the standards and expectations for all suppliers engaging in business with all MKS companies worldwide. MKS' reputation is built on honesty, integrity, quality, and trust. We therefore expect our supply chain partners to uphold these same values in all aspects of their operations, regardless of local business practices or social customs.

This Code sets forth the minimum standards of business conduct suppliers must adhere to and is designed to promote ethical behavior, responsible business practices, respect for human rights, environmental stewardship, safe and healthy workplaces, and compliance with applicable laws and regulations throughout the MKS supply chain and your supply chain.

Suppliers shall communicate the requirements of this Code to their suppliers, subcontractors, labor agents, and other relevant business partners and shall establish processes to encourage and monitor compliance. At a minimum, suppliers are expected to require their direct suppliers to acknowledge and implement standards that are consistent with the principles of this Code. Suppliers shall exercise reasonable due diligence to identify, prevent, mitigate, and address material risks within their supply chains and shall provide information regarding such efforts upon reasonable request.

LABOR & HUMAN RIGHTS

At MKS we expect our suppliers to uphold the human rights of workers, treat all individuals with dignity and respect, and comply with applicable labor, employment, and human rights laws and standards.

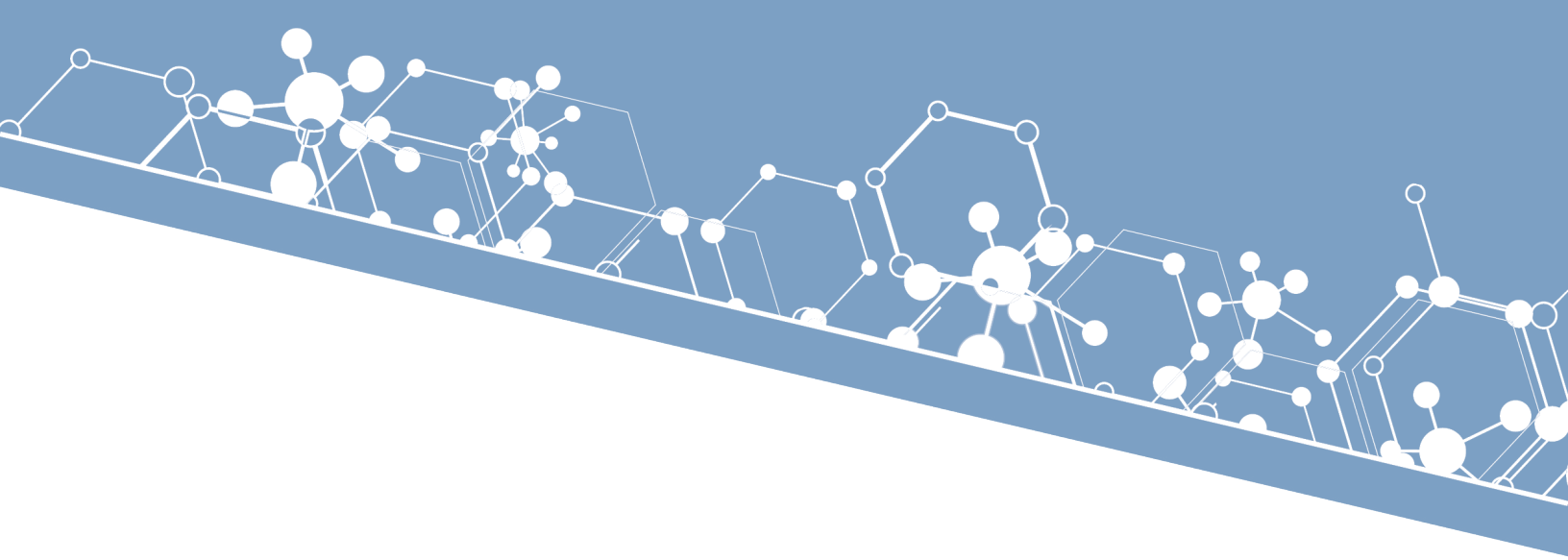
Slave Labor & Human Trafficking

MKS does not tolerate forced or slave labor, or any form of human trafficking. Any person employed or engaged by our suppliers must have voluntarily chosen to do so. Any type of slave, forced, bonded, indentured, debt-based, trafficked, exploitative, or involuntary prison labor is prohibited.

Workers must not be restricted in any way in their personal freedom of movement. Workers shall not be required to surrender government-issued identification, passports, immigration documents, work permits, or other personal documents as a condition of employment.

All employment must be voluntary, and workers must be free to terminate their employment upon reasonable notice without penalty, consistent with applicable law.

Suppliers shall not use fraudulent recruitment practices or charge workers recruitment fees or related costs that would result in worker indebtedness. Where such fees have been charged, suppliers shall provide reimbursement.



Workers shall receive a written employment agreement in their native language, or another language they understand, describing the terms and conditions of employment, as required by applicable law.

Child Labor & Young Workers

Child labor is not to be used in any stage of manufacturing. We expect our suppliers to comply with applicable laws and not employ children:

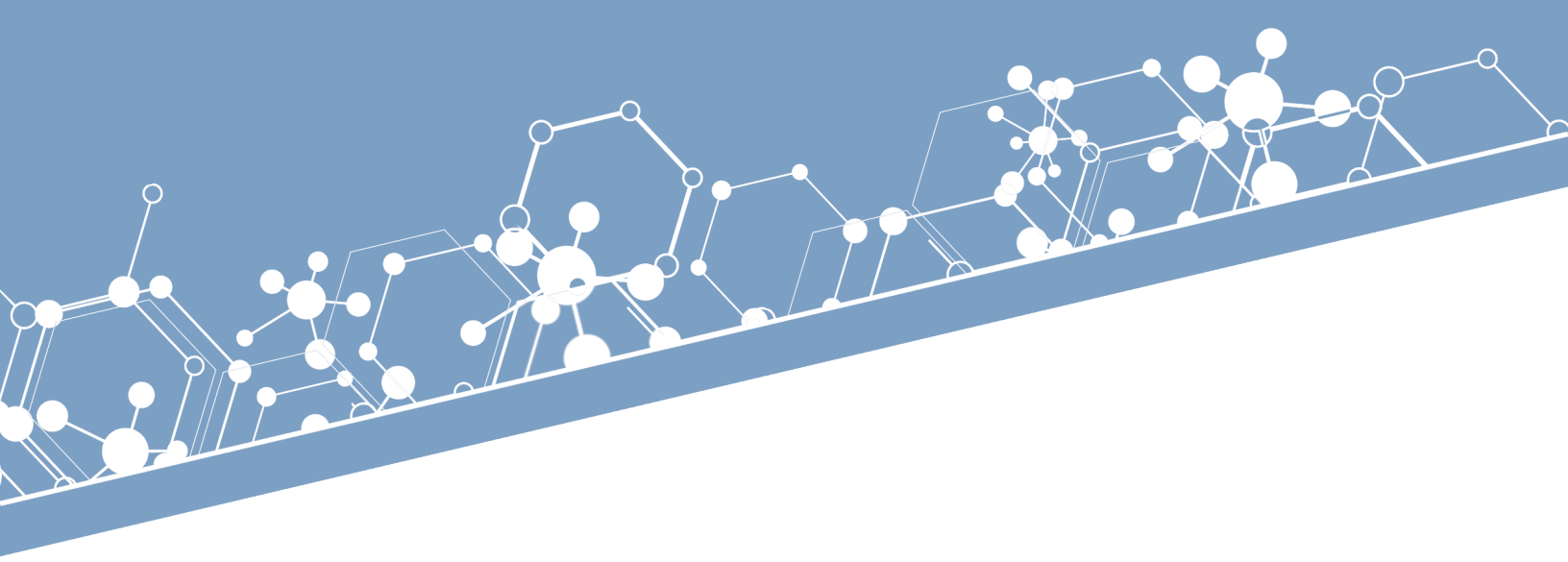
- below 15 years of age or
- below the minimum age of employment permitted by the law of the country or the age of the end of compulsory schooling in that country, whichever is higher.

Workers under 18 years of age shall not perform hazardous work, night work, overtime work where prohibited by law, or any duties that may jeopardize their health, safety, or development.

Suppliers shall maintain appropriate age-verification processes and records to ensure compliance with applicable minimum age requirements.

If child labor is identified, suppliers shall immediately implement appropriate remediation measures that prioritize the child's welfare, education, and well-being.

Suppliers shall properly manage student workers, interns, and apprentices, including maintaining appropriate records, conducting due diligence on educational partners, protecting student rights, and providing appropriate support and training. Where local law does not prescribe a wage rate, such workers shall receive at least the same rate as entry-level workers performing equal or similar work. Temporary, dispatch, and outsourced labor shall be used only within the limits of applicable law.



Wages & Working Hours

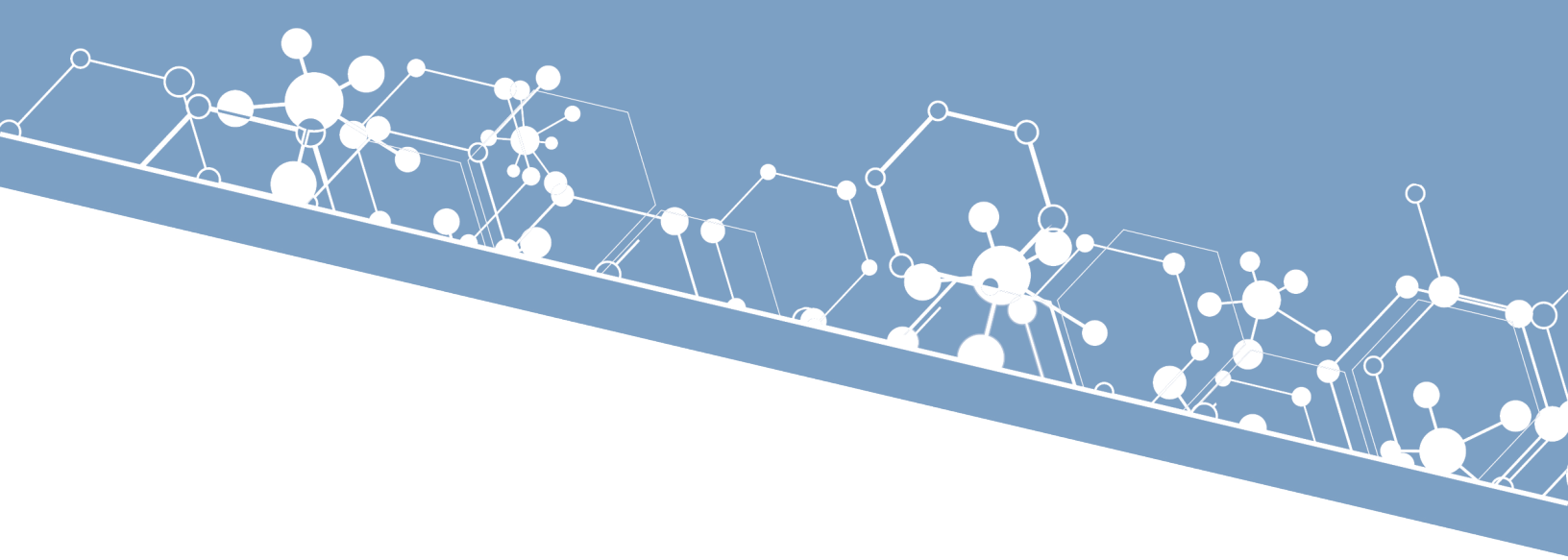
Workers shall receive equal pay for equal work and qualifications. Working time for our suppliers' workers shall not exceed the maximum set by the applicable national law. A work week should not exceed 60 hours, including overtime, except in emergency or unusual situations. Overtime shall be compensated in accordance with applicable laws and regulations.

Compensation being paid to our suppliers' workers shall comply with all applicable laws, including those relating to minimum wages, overtime hours and pay, and legally mandated benefits and a timely and understandable wage statement for each pay period. Deductions from basic wages shall not be permitted as a disciplinary measure. Workers must be given full information on the composition of their remuneration in a clear and understandable manner.

Humane Treatment & Non-Discrimination

We expect our suppliers to prevent and prohibit hard or inhumane treatment of their workers, including violence, gender-based violence, sexual harassment, sexual abuse, corporal punishment, mental or physical coercion, bullying, public shaming or verbal abuse of workers.

Our suppliers shall not engage in discrimination, harassment, or unlawful retaliation in any aspect of employment. Employment-related decisions, including recruitment, hiring, compensation, promotion, training, discipline, and termination, shall be based on an individual's qualifications, performance, skills, and experience and shall not be influenced by race, color, age, gender, sexual orientation, gender identity or expression, ethnicity or national origin, disability, pregnancy, religion, political affiliation, union membership, veteran status, genetic information, marital status, or any other characteristic protected by applicable law. Suppliers shall provide reasonable accommodation for religious practices and disabilities, consistent with applicable law.



Suppliers shall not require workers or potential workers to undergo medical, pregnancy, or other examinations that could be used in a discriminatory manner, except where required by applicable law or necessary for workplace safety.

Consistent with applicable law, suppliers shall respect the rights of workers to join trade unions, bargain collectively, and engage in peaceful assembly or refrain from such activities. Suppliers shall respect workers' rights to communicate openly with management regarding working conditions without fear of discrimination, retaliation, intimidation, or harassment. Where laws restrict freedom of association or collective bargaining, suppliers should provide alternative lawful means for workers to raise workplace concerns and engage in dialogue with management.

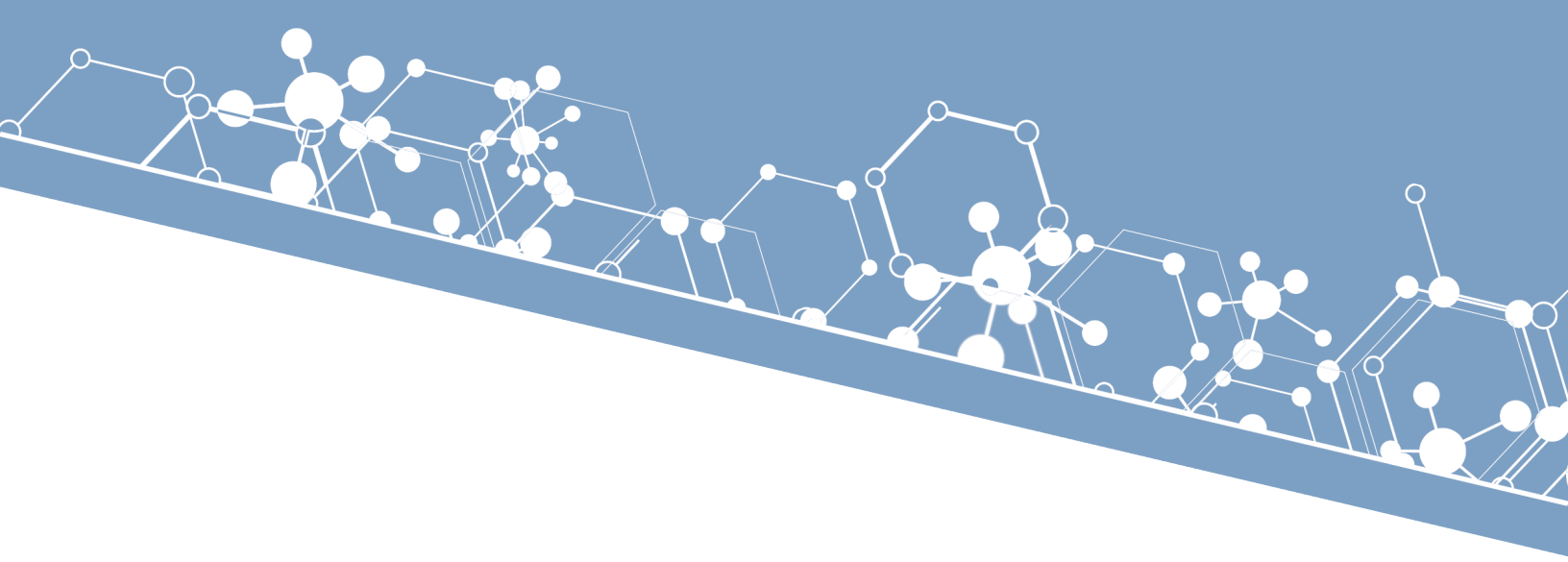
HEALTH & SAFETY

We recognize that a safe and healthy work environment not only minimizes work-related injuries and illnesses but also enhances the quality of products and services. We expect our suppliers to provide and maintain a safe and healthy workplace and to comply with all applicable health and safety laws and regulations.

Occupational Safety

The workplace must not put the health or safety of workers at risk. To ensure such an environment, MKS expects our suppliers to:

- identify, assess, and mitigate the potential for work exposure to health and safety hazards;
- implement engineering and administrative controls, preventative maintenance, and safe work procedures, and provide safety training;
- where necessary, provide workers with appropriate personal protective equipment at no cost to the worker to prevent risk of accidents or of adverse effects to health;
- establish processes to identify and address workplace hazards before incidents occur;
- ensure that workers receive health and safety information in a language and format they can understand;



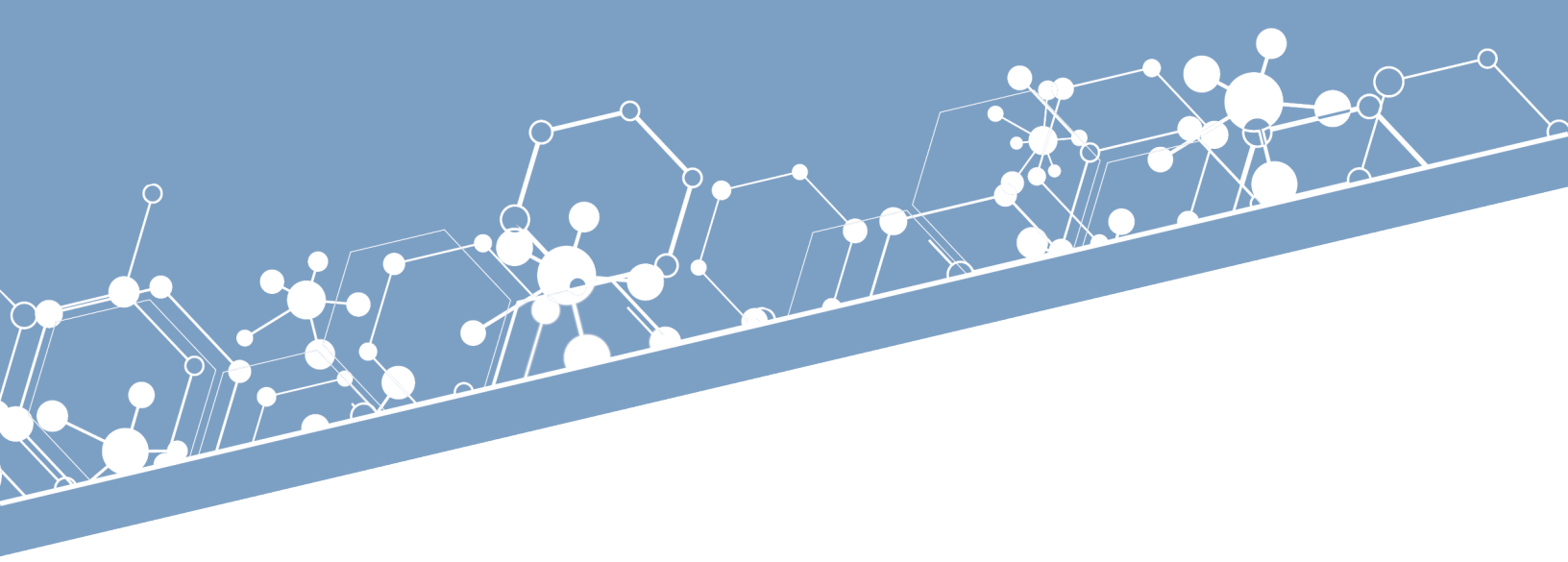
- encourage workers to report safety concerns and stop unsafe work without fear of retaliation; and
- implement appropriate measures to protect pregnant workers and nursing mothers from working conditions that could pose a risk to their health or the health of their child and provide reasonable accommodations where appropriate and consistent with applicable law.

Workers shall be permitted to remove themselves from work situations that they reasonably believe present an imminent risk to their health or safety without fear of retaliation. Suppliers shall not require workers to return to such situations until the hazard has been adequately addressed. Suppliers shall also maintain processes to facilitate the safe and appropriate return to work of workers following occupational injury or illness.

Emergency Preparedness

Suppliers shall identify and assess potential emergency situations and minimize the possible impact of such events by implementing emergency plans and response procedures including:

- emergency reporting;
- worker notification and evacuation procedures;
- worker training and drills;
- appropriate fire detection and suppression equipment;
- adequate exit facilities;
- emergency response teams and clearly defined responsibilities;
- recovery and business continuity procedures, where appropriate;



- periodic testing and review of emergency preparedness plans; and
- emergency drills conducted at least annually, or more frequently where required by applicable law. Emergency plans shall include clear and unobstructed egress and current emergency-responder contact information.

Prevention of Occupational Injury and Illness

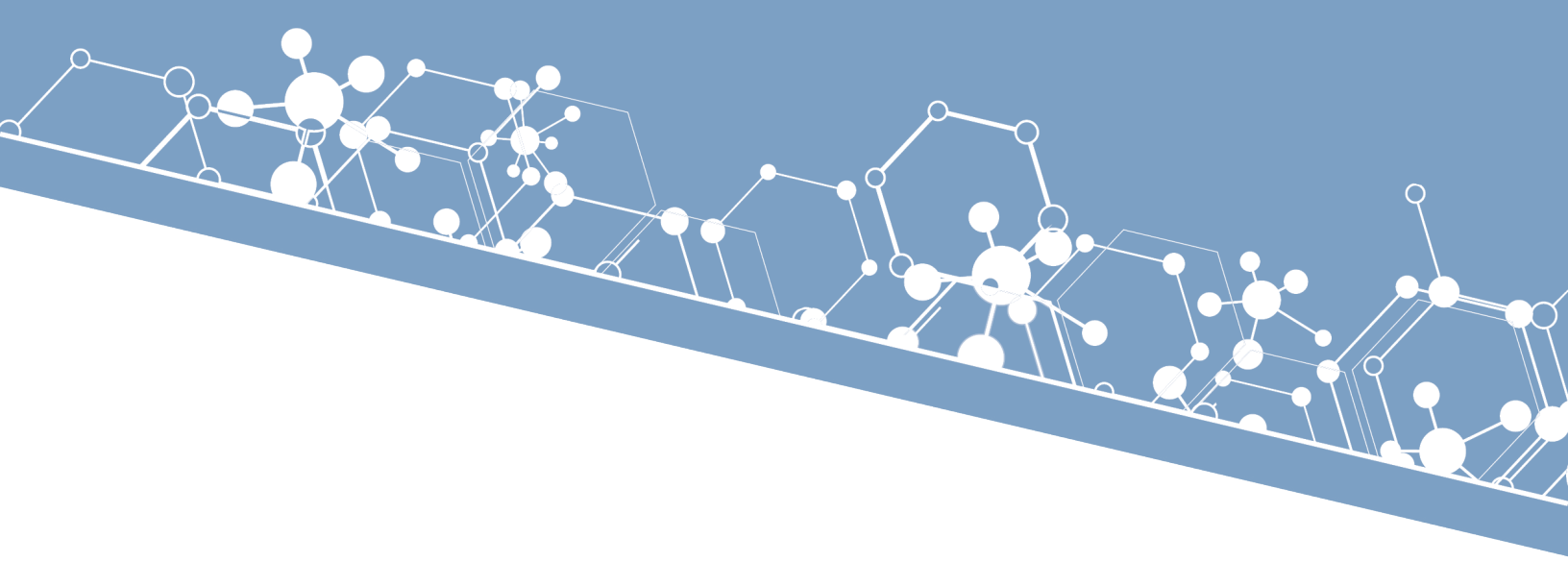
Suppliers shall put in place procedures and systems to prevent, manage, track, and report occupational injuries and illnesses. These systems help to encourage workers to report accidents, near misses, unsafe conditions, and illnesses and allow suppliers to classify and record injury and illness cases, provide necessary medical treatment, investigate cases, and implement corrective actions to eliminate their causes.

Suppliers shall maintain records of occupational injuries and illnesses in accordance with applicable legal requirements and use such information to identify trends and continuously improve workplace safety performance. Suppliers shall maintain ongoing occupational health programs, including systematic monitoring of workers' health and working environments, to determine whether occupational exposures are adversely affecting worker health.

Workers who report injuries, illnesses, or safety concerns shall be protected from retaliation.

Industrial Hygiene

Suppliers shall identify, evaluate, and control their workers' exposure to chemical, biological, and physical agents. Potential exposures shall be routinely monitored, assessed, and documented using appropriate methods. If overexposure cannot be controlled by means of engineering or administrative controls, workers are to be protected by appropriate personal protective equipment free of charge.



Suppliers shall provide workers with information regarding workplace hazards, including the safe handling, storage, use, and disposal of hazardous substances.

Appropriate labeling and hazard communication measures shall be implemented for hazardous materials.

Physically Demanding Work & Machine Safeguarding

Suppliers shall identify, evaluate, and control their workers' exposure to the hazards of physically demanding tasks such as manual material handling, heavy or repetitive lifting, prolonged standing, or highly repetitive or forceful assembly tasks. Suppliers shall provide physical guards, interlocks, and barriers, and evaluate production and other machinery for safety hazards.

Machinery and equipment shall be properly maintained and inspected to ensure safe operation. Workers shall receive training on the safe operation of machinery and equipment applicable to their job responsibilities.

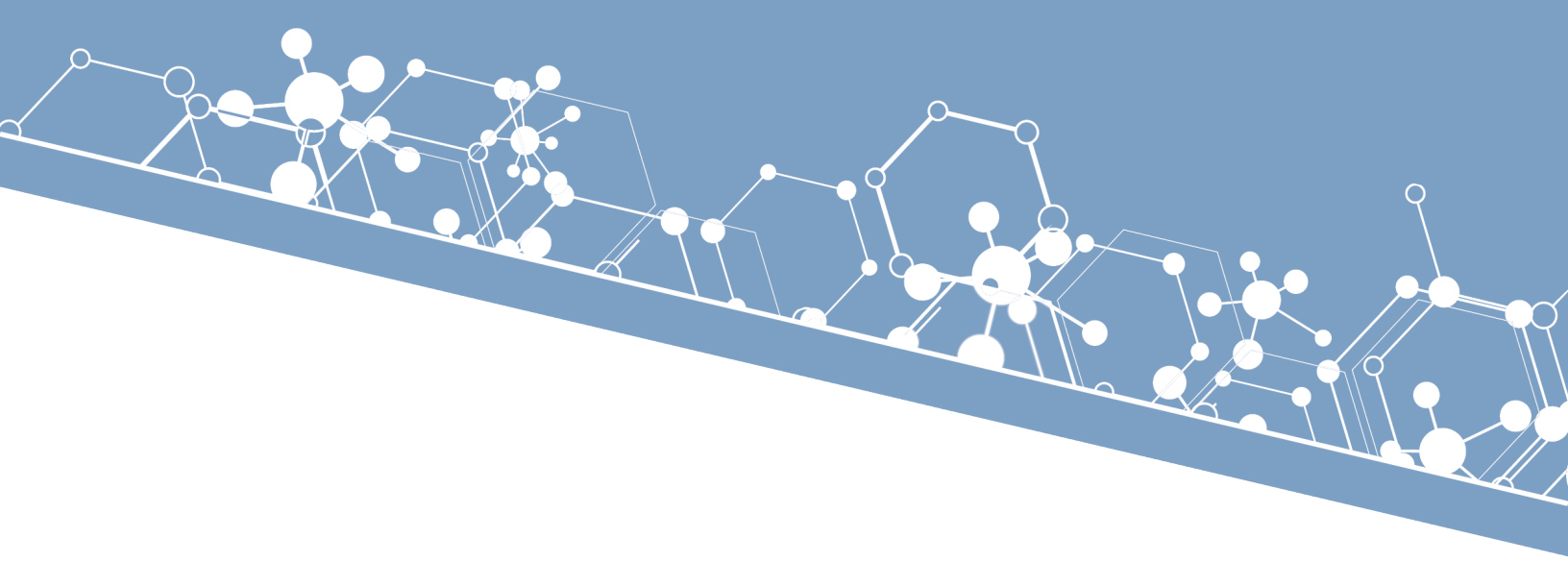
Sanitation, Food, Housing, & Training

Suppliers shall provide workers with ready access to clean toilet facilities, potable water, and sanitary food preparation, storage, and eating facilities. Worker dormitories, when provided, shall be clean, safe, and meet applicable health and safety standards. Such facilities shall include hot water, individual secured storage, reasonable personal space and privacy, reasonable entry and exit privileges, appropriate emergency egress, fire safety measures, and adequate lighting and ventilation.

Workers shall be provided workplace health and safety information and training upon hire and periodically thereafter and shall be encouraged to raise any health and safety concerns without retaliation. Training shall be provided in a language and format that workers can understand.

ENVIRONMENT

Suppliers shall identify, manage, and minimize the environmental impacts of their operations and work to reduce adverse effects on communities, the environment, and natural resources within their manufacturing operations, while safeguarding public health and safety. Suppliers shall comply with applicable environmental laws and regulations and support responsible environmental practices. Suppliers shall maintain records sufficient to identify, track, and document hazardous waste generation, handling, transportation, treatment, recycling, and disposal activities. Suppliers shall implement processes to identify, manage, reduce, reuse, recycle, and responsibly dispose of non-hazardous waste. Records of significant waste streams and waste management activities should be maintained to support compliance monitoring and continuous improvement.



Environmental Permits and Reporting

Suppliers shall obtain and keep current all required environmental permits, approvals, and registrations and shall comply with all requirements of such permits, approvals and regulations.

Suppliers shall maintain processes to monitor and ensure compliance with applicable environmental laws and regulations. Records required to demonstrate such compliance shall be maintained and made available upon reasonable request.

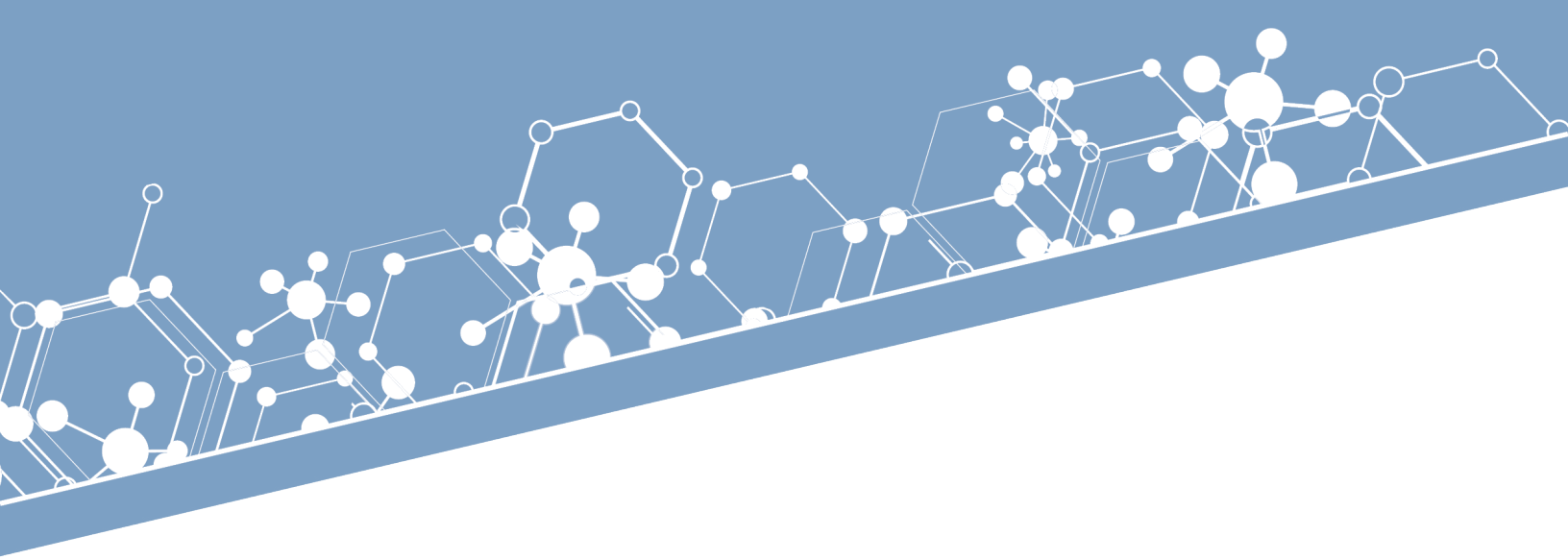
Pollution Prevention and Resources Reduction

Suppliers shall minimize or eliminate, where practicable, emissions, discharges, and waste generated by their operations. Suppliers shall identify opportunities to prevent pollution, reduce waste, conserve natural resources, and improve the efficient use of energy, water, raw materials, and packaging. Resource consumption should be measured and managed to reduce environmental impacts and drive continuous improvement. Where feasible and legally permissible, suppliers will implement practices that promote the reuse, recycling, and recovery of materials.

Hazardous Substances, Solid Waste, & Air Emissions

Suppliers shall identify, manage, and control the use, handling, storage, transportation, recycling, and disposal of chemicals, waste, and other hazardous materials in a manner that protects workers, communities, and the environment and complies with all applicable laws. Air emissions and waste shall be monitored, controlled, treated, and disposed of in accordance with applicable legal requirements.

Suppliers shall implement appropriate spill prevention and response measures for hazardous materials.



Materials Restrictions

Suppliers shall adhere to all applicable laws, regulations, and customer requirements regarding the prohibition or restriction of specific substances in products and manufacturing. Suppliers shall maintain processes to identify, track, and communicate compliance with applicable material restrictions and shall provide supporting documentation upon request.

Water Management, Energy Consumption, & Greenhouse Gas Emissions

Suppliers shall monitor and manage water use, wastewater discharges, energy consumption, and greenhouse gas emissions and seek continuous improvement in resource efficiency and environmental performance. Suppliers shall maintain processes to conserve water, manage environmental risks and impacts, and control sources of contamination. Wastewater shall be treated in accordance with applicable legal requirements. Suppliers are encouraged to reduce emissions and increase the use of lower-carbon and renewable energy sources where feasible.

ETHICS

Suppliers must conduct business with integrity and in accordance with the highest standards of ethical behavior. Suppliers shall comply with applicable laws and regulations and maintain practices that promote transparency, accountability, and responsible business conduct.

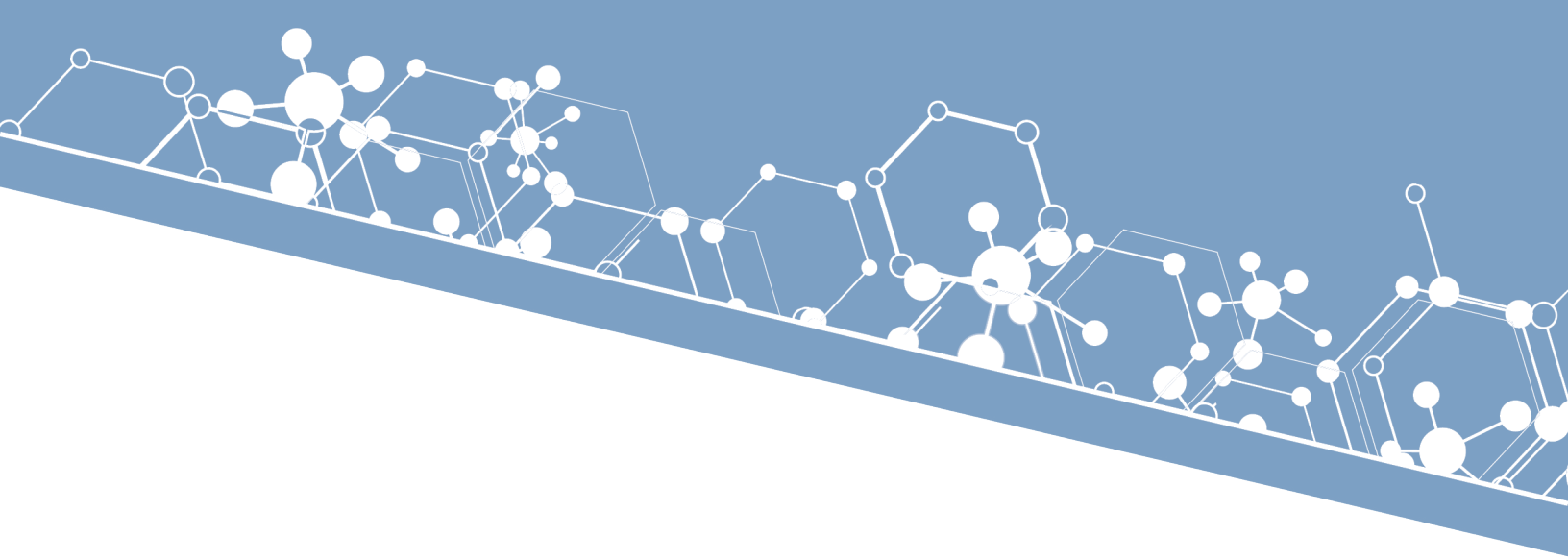
Business Integrity & No Improper Advantage

We require a zero-tolerance policy to prohibit all forms of bribery, corruption, extortion, and embezzlement. Suppliers shall prohibit bribes or other means of obtaining improper advantage.

Suppliers shall conduct business with integrity and in compliance with applicable anti-corruption and anti-bribery laws and regulations. No employee, agent, intermediary, or representative acting on behalf of a supplier may offer, give, promise, solicit, or accept anything of value to improperly influence a business decision or obtain an improper advantage. Suppliers shall maintain appropriate controls, monitoring, and training programs to support compliance with anti-corruption requirements.

Disclosure of Information

Suppliers must transparently perform and accurately reflect all business dealings in their books and records in accordance with applicable legal and regulatory requirements. Suppliers shall not falsify records, conceal information, or misrepresent conditions, practices, or performance. Information



regarding labor practices, health and safety, environmental performance, and business activities shall be disclosed in accordance with applicable laws and MKS requirements.

Intellectual Property

Suppliers shall protect and respect the intellectual property rights of third parties and safeguard customer and supplier confidential information. Suppliers shall use intellectual property and confidential information only for authorized business purposes.

Appropriate administrative, technical, and physical safeguards shall be implemented to prevent unauthorized access, disclosure, use, modification, or loss of proprietary or confidential information.

Fair Business, Advertising, & Competition

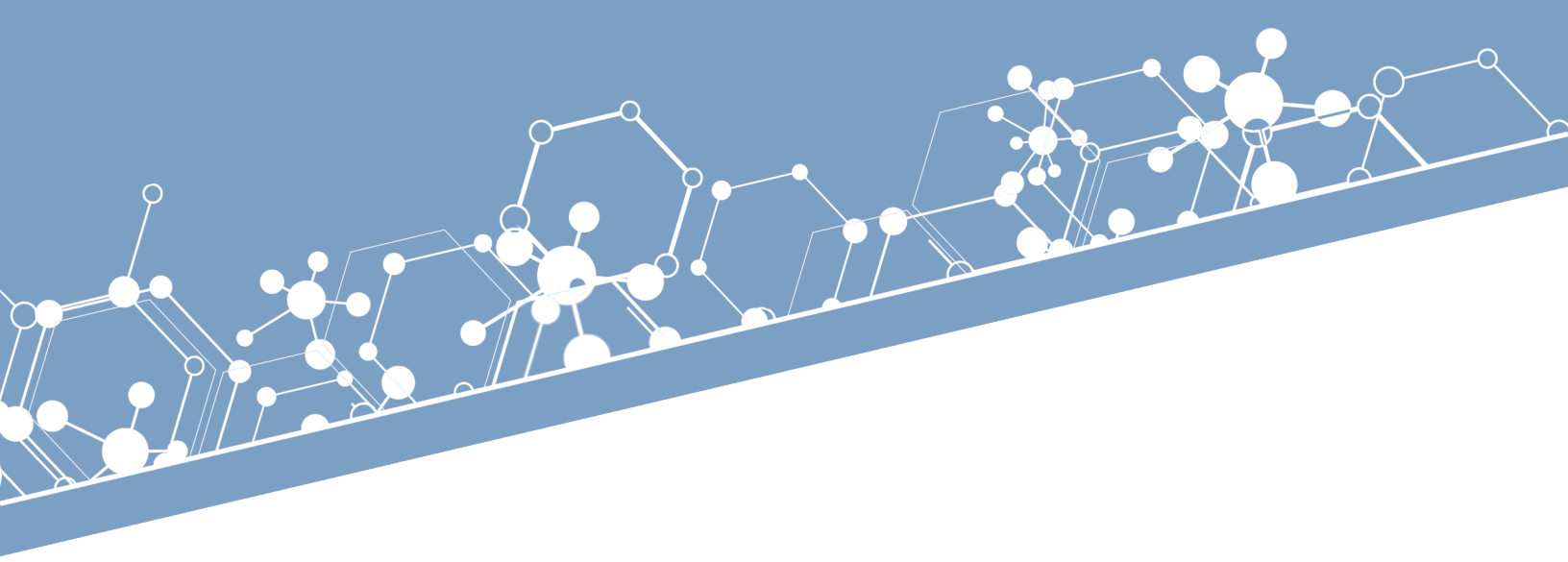
Suppliers shall uphold standards of fair business, advertising, and competition. Suppliers shall conduct business in accordance with applicable competition and antitrust laws. Suppliers shall not engage in anti-competitive practices, including unlawful price fixing, bid rigging, market allocation, or improper exchanges of competitively sensitive information.

Protection of Identity & Non-Retaliation

Suppliers shall maintain programs to ensure the confidentiality, anonymity, and protection of whistleblowers, unless prohibited by law. Suppliers shall provide workers and business partners with mechanisms to raise concerns, seek guidance, and report suspected misconduct without fear of retaliation. Reports shall be investigated and addressed promptly and appropriately.

Responsible Sourcing of Minerals

Suppliers shall adopt and maintain a due diligence program to identify and address risks associated



with the sourcing of minerals, including a responsible-minerals policy and exercise due diligence regarding the source and chain of custody of tantalum, tin, tungsten, gold, cobalt, and other minerals incorporated into their products, consistent with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas or an equivalent recognized framework.

Suppliers shall exercise such due diligence within their supply chains, provide sourcing information upon request, and take appropriate action to mitigate identified risks.

Privacy

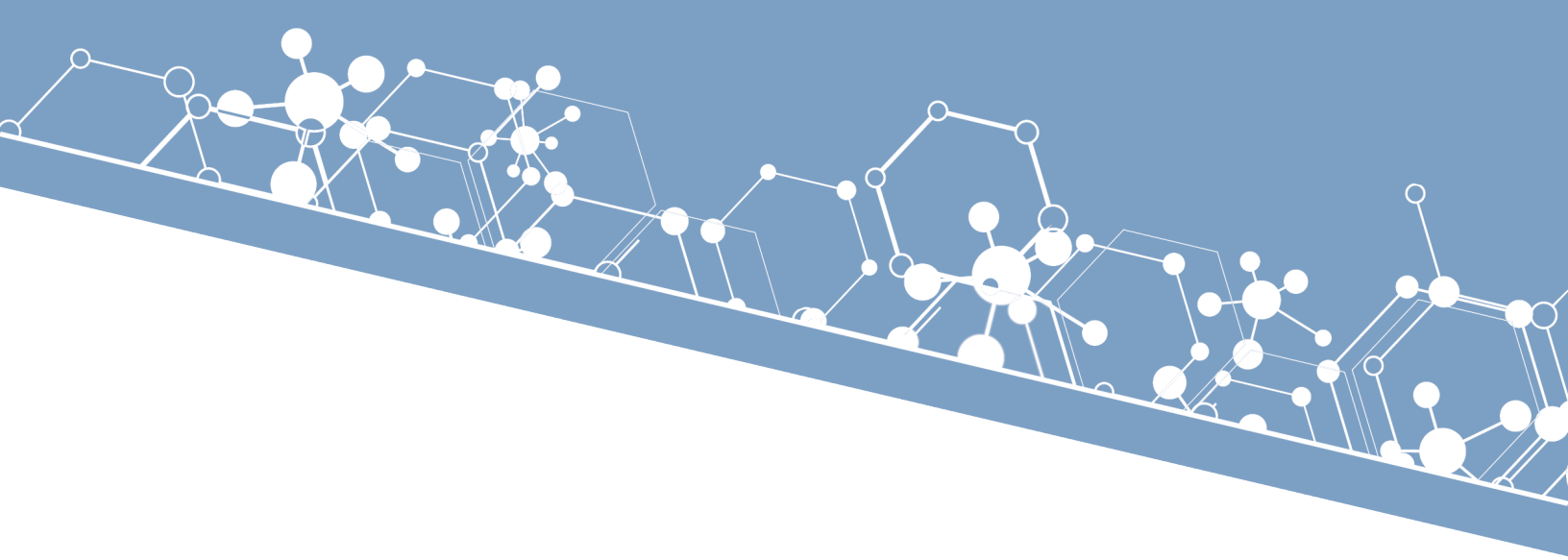
Suppliers shall protect the personal information of all employees, consumers, suppliers, customers, and other business partners.

Suppliers shall collect, process, store, share, retain, and dispose of personal information in accordance with applicable privacy and data protection laws. Suppliers shall implement appropriate safeguards to protect such information from unauthorized access, disclosure, loss, alteration, or misuse. Access to personal information shall be limited to authorized individuals, and data security incidents shall be promptly investigated and addressed.

MANAGEMENT SYSTEMS

Suppliers shall establish and maintain management systems that support compliance with applicable laws, regulations, and the requirements of this Code. These systems should promote accountability, risk management, continuous improvement, and responsible business practices throughout the Supplier's operations. Such systems should include:

- written policies demonstrating commitment to the principles of this Code;
- management accountability and responsibility, including assignment of personnel responsible for implementation and oversight;
- processes to identify, monitor, and comply with applicable legal, regulatory and MKS requirements;
- risk assessments and risk management processes to identify, prevent, mitigate, and address operational, labor, health and safety, environmental, ethical, and supply chain risks;
- measurable objectives, targets, and action plans to drive continuous improvement;
- training and communication programs for workers, managers, and relevant business partners;
- mechanisms for worker feedback, participation, and reporting concerns without fear of retaliation;



- processes to investigate concerns, identify root causes, implement corrective actions and ensure the timely remediation of deficiencies identified through such investigations or audits;
- internal audits, assessments, and management reviews, or other equivalent processes;
- maintenance of accurate documentation and records demonstrating compliance with this Code and applicable legal requirements;
- processes to communicate the expectations of this Code throughout the supply chain and monitor supplier compliance; and
- periodic review of management systems to address evolving risks, legal requirements, and stakeholder expectations.

REPORTING

The MKS Compliance Hotline is operated by an independent reporting service, and you may contact the hotline anytime, online, via mobile device or via phone to raise questions or concerns regarding potential violations of this Code, our policies or procedures, or the law.

You may submit a report confidentially and, if you wish, anonymously. However, please note that we may be prevented from investigating and/or addressing matters raised in reports made anonymously, if contrary to the local laws of a particular country.

- Online: mksinst.ethicspoint.com
- Mobile: mksinstmobile.ethicspoint.com
- Phone: **855-874-1532***

* Dialing instructions (including local access codes) when calling from outside the U.S. are available at mksinst.ethicspoint.com. Select your country to view dialing instructions.