



MKS INSTRUMENTS, INC.'S STATEMENT ON HUMAN TRAFFICKING AND SLAVERY

Under the California Transparency in Supply Chain Act of 2010 (Cal. Civil Code Section 1714.43) and the United Kingdom Modern Slavery Act of 2015, MKS Instruments, Inc. and its subsidiaries (MKS) must disclose information regarding its efforts, if any, to address the issues of slavery and human trafficking in its supply chain. In addition, in connection with the sale of products and services to the U.S. Government as a prime contractor or a subcontractor, MKS must comply in certain circumstances with applicable provisions of the Federal Acquisition Regulation (FAR) and FAR supplements (i.e., DFARS), including but not limited to those pertaining to combatting trafficking in persons which is set forth in subparagraph (b) of FAR Clause [52.222-50](#). MKS is also required to inform employees, agents and subcontractors of the U.S. Government's policy prohibiting trafficking in persons and the actions that will be taken against employees and agents for violations of such policy. This Statement on Human Trafficking and Slavery is responsive to the California Transparency in Supply Chain Act, the United Kingdom Modern Slavery Act, and the applicable provisions of the FAR and DFARS pertaining to combatting trafficking in persons.

"Trafficking in persons" or "human trafficking" is the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.

The United States Government has adopted a zero tolerance policy relating to human trafficking. MKS (including all of its subsidiaries) is committed to conducting business in an ethical and responsible manner and is opposed to human trafficking and forced labor in any form. MKS has taken certain steps to mitigate the risk of human trafficking and forced labor in its own operations and supply chain.

MKS' Employee Handbook specifically states that "MKS has adopted a zero tolerance policy related to human trafficking and forced labor in any form for its employees, contractors, suppliers and agents. The policy prohibits engaging in trafficking in persons, using forced labor, tampering with or denying access to identification and immigration records, and fraudulent or otherwise illegal recruiting practices." All of our employees are required to acknowledge in writing that they have read and understand the policies included in the Employee Handbook. Employees who fail to comply with the policies set forth in MKS' Employee Handbook face disciplinary action, including, but not limited to, termination.

In addition, MKS' Code of Business Conduct and Ethics reflects MKS' commitment to conducting business in an ethical and responsible manner. Employees have a duty to report any violation of MKS' Code of Business Conduct and Ethics or violation of law, including labor laws, to their manager, their Human Resources representative, MKS' Chief Financial Officer, MKS' General Counsel or MKS' Compliance Hotline, which is operated by an independent third party. All MKS employees receive training on MKS' Code of Business Conduct and Ethics annually and certify to compliance with it at that time. Employees who fail to comply with the standards set forth in MKS' Code face disciplinary action, including, but not limited to, termination.

When working with suppliers, MKS will not compromise its commitment to integrity. MKS has adopted the industry standard Electronic Industry Citizenship Coalition (EICC) Code of Conduct as its Supplier Code of Conduct. Included in this Code of Conduct is a specific prohibition on using forced, imprisoned or indentured labor, or workers subject to any form of compulsion or coercion. A supplier commitment to compliance with this Code of Conduct is the foundation of a mutually beneficial business relationship with MKS. Although MKS does not currently audit its suppliers with respect to compliance with human trafficking, MKS' Supplier Code of Conduct obligates suppliers to comply with all applicable laws, including those related to human trafficking and forced labor, in every market in which MKS does business with them. Suppliers agree to comply with our Supplier Code of Conduct in the terms and conditions of each purchase order and/or in MKS' Supplier Manual. Each MKS supplier is expected to promptly inform MKS of any Supplier Code of Conduct concern involving or affecting MKS, whether or not the concern involves the supplier, as soon as the supplier has knowledge of such concern. A MKS supplier may do this by informing a MKS manager directly or by calling the MKS Compliance Hotline and such concern will be reviewed and investigated. A MKS supplier shall also take such steps as MKS may reasonably request to assist MKS in the investigation of any concern involving MKS and the supplier. MKS will take appropriate action against any supplier whose actions are found to violate MKS' Supplier Code of Conduct. Such actions may include, but are not limited to, termination of contract.

MKS is currently evaluating verification processes to identify and evaluate the potential risks for human trafficking and slavery in our supply chain.



Gerald G. Colella, CEO, President and Director

10-31-17

Date