



EQUAL EMPLOYMENT OPPORTUNITY

MKS is committed to providing fair and equal opportunity for employment and advancement to all employees of the Company and applicants. MKS recruits, transfers, assigns, promotes and compensates employees on the basis of qualifications, merit, and competence. Employment practices shall not be influenced nor affected by virtue of an applicant's or employee's race, color, creed, religion, sex (including pregnancy), national origin, citizenship status, sexual orientation, age, gender identity, marital status, veteran or disability status, genetic information or any other characteristic protected by law.

Employees' health information will be treated confidentially to the maximum extent possible, but disclosures may be required under legislative, regulatory, or court pronouncements. Employees will not routinely be relieved of assignments or restricted from work for reasons of health unless warranted pursuant to the Americans with Disabilities Act (ADA). Each such situation will be evaluated on an individual basis, taking into consideration an employee's health and job responsibilities.

This policy governs all aspects of recruiting, hiring, training, on-the-job treatment, Company-sponsored activities, promotion, transfer, termination, and all other terms and conditions of employment. MKS wishes to emphasize to all employees our belief in equal employment opportunity. The cooperation and participation of each employee is essential to the achievement of our objective. Any employee who believes he or she has been the victim of employment discrimination based on any of these factors should report the matter immediately through the Company's open door policy. Retaliation against an employee who makes a good faith report of discrimination will not be tolerated by MKS.

AFFIRMATIVE ACTION

Consistent with its obligations as a federal contractor, MKS established a written affirmative action plan on behalf of women, people with disabilities, protected veterans, and members of designated minority groups. Copies of the Company's affirmative action plan are available to employees upon request from the Human Resources Department. Employees and applicants are encouraged to familiarize themselves with the plan, which contains a complaint procedure that protects employees and applicants from coercion, intimidation, interference or discrimination for filing a complaint or assisting in an administrative investigation.

AMERICANS WITH DISABILITIES ACT

MKS Instruments, Inc. provides reasonable accommodation(s) to qualified applicants and employees with disabilities or perceived disabilities so that they may perform the essential job duties of the position, as long as the accommodation does not result in undue hardship for the Company. Employees are expected to engage in an interactive process to determine what, if any, reasonable accommodation will be made based on the individual circumstances and a case-by-case evaluation.

HARASSMENT / SEXUAL HARASSMENT PREVENTION

MKS is committed to providing a work environment that is free from harassment based on race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, marital status, veteran status, pregnancy, genetic information or any other characteristic protected by law, including sexual harassment.

Harassment due to race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, marital status, veteran status, pregnancy, or genetic information as well as sexual harassment is unlawful. MKS Instruments prohibits all forms of harassment and misconduct from any employee on the job including members of the management team, fellow employees, or by non-employees such as customers, clients, visitors, vendors or contractors. Employees do not have to break the law in order for the act to be considered harassment. Harassment is prohibited whether on Company property, while traveling on Company business, at a customer or vendor site, or at a Company function. The object of perceived harassment as well as the perceived harasser may be of any gender and does not have to be of the opposite sex.

ORIENTATION AND TRAINING

The Human Resources Department conducts an employee orientation during which new employees are presented with an overview of MKS' goals, philosophy, organizational structure, personnel policies and procedures, safety policies and employee benefits. Eligible new employees may sign up for benefits at orientation. Other training may be mandated based upon job role, location, or other specific criteria. A new employee's immediate manager will arrange for any specific training required to allow the employee to perform effectively.

EMPLOYEE LEARNING AND DEVELOPMENT

MKS recognizes the significant role the capabilities of its employees play in the success of the corporation and supports employee, and temporary worker, learning and development to that end. MKS is committed to fairness in providing learning and development opportunities while reserving the right to make available opportunities commensurate with assessment of employment duration, employee potential, and general business conditions.

COMPENSATION PHILOSOPHY

MKS is committed to providing total compensation packages that attract, motivate, and retain highly-talented employees. Additionally, MKS is committed to recognizing and rewarding an individual's sustained performance, the skills and competencies needed and valued by MKS, as well as the results generated by the employee. MKS is committed to ensuring that our total compensation packages are externally competitive and support business plans and strategies.



WORKPLACE VIOLENCE

MKS is committed to maintaining a work environment that is free from violence. Under no circumstances shall an employee bring any sort of weapon onto MKS property. Violent, threatening or intimidating behavior by any employee is considered unacceptable and will be dealt with by the Company in the strictest manner up to and including termination. MKS has “zero tolerance” for this type of behavior. It is absolutely essential for all MKS employees to participate in maintaining a safe workplace, which provides many additional benefits such as positive employee morale, less stress, and an overall atmosphere of cooperation. Threats, intimidating conduct, or acts of violence should be immediately reported to a member of the management team or Human Resources representative, and will be promptly and thoroughly investigated and, if warranted, disciplinary action, up to and including termination, may be taken against the individual responsible for the threat or act.

GENERAL DISCLAIMER

As we operate in multiple states and countries, for the purposes of brevity, we cannot list every situation where applicable laws and regulations may differ from those listed in these policies. If there is a discrepancy between these policies and applicable law, then the law always governs. No policy, contained here, should be construed to limit employees’ rights to engage in any activity protected under applicable law, including but not limited to, Section 7 of the National Labor Relations Act.

Importantly, nothing in these policies is intended to limit, restrict, or affect any rights employees may have under the National Labor Relations Act (“NLRA”) to communicate with other employees or the public about their wages, hours, or other terms and conditions of employment, or any other rights employees may have under the NLRA. An employee will not be disciplined, discriminated against, retaliated against, or experience any adverse consequences as a result of exercising any of his or her rights under the NLRA or any other law.