



California Transparency in Supply Chains Act disclosure

FuelCell Energy is committed to conducting our business activities with honesty, and in full compliance with the laws and regulations of the states and countries in which we do business. We are proud of our business reputation and it is the responsibility of each FuelCell Energy associate to uphold that reputation as exemplified in our code of ethics.

Sustainability is a cornerstone of our product offering and daily operation of the Company. Sustainability incorporates social risks and human rights and FuelCell Energy will not knowingly support or do business with suppliers that treat workers improperly or unlawfully, including, without limitation, those that engage in human trafficking, child labor, slavery or other unlawful or morally reprehensible employment practices.

While FuelCell Energy does not currently engage in or have a dedicated program designed to specifically verify that the product supply chains in which it operates do not engage in human trafficking and/or slavery, we do undertake audits and visits to our direct suppliers and strive to maintain close working relationships with our supply chain. We have begun and are continuing to implement comprehensive monitoring of our global supply chain to eliminate social risks and ensure respect for human rights. We contractually ensure that all qualified suppliers in our supply chain comply with the Fair Labor Standards Act (FLSA) of 1938, as amended. FuelCell Energy employees with supply chain responsibilities are trained on sustainability, social risks and human rights and utilize this knowledge to evaluate existing suppliers and new potential suppliers on social and sustainable metrics to ensure compliance with our requirements and congruence with our company values.