

# CIPP-USリンクグローバル & CIPP-US技術試験



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>> CIPP-USリンクグローバル <<

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## IAPP Certified Information Privacy Professional/United States (CIPP/US) 認定 CIPP-US 試験問題 (Q59-Q64):

### 質問 #59

A financial services company installs "bossware" software on its employees' remote computers to monitor performance. The software logs screenshots, mouse movements, and keystrokes to determine whether an employee is being productive. The software can also

enable the computer webcams to record video footage.

Which of the following would best support an employee claim for an intrusion upon seclusion tort?

- A. The company creates and saves a biometric template for each employee based upon keystroke dynamics.
- B. The webcam records video of an employee using a company laptop to perform personal business while at a coffee shop during work hours.
- C. The webcam is enabled to record video any time the computer is turned on.
- D. The software automatically sends a notification to a supervisor any time the employee's mouse is dormant for more than five minutes.

正解: C

解説:

An intrusion upon seclusion tort occurs when someone intentionally intrudes, physically or otherwise, upon the solitude or seclusion of another or his private affairs or concerns, if the intrusion would be highly offensive to a reasonable person. The intrusion does not need to involve a physical trespass, but can also be an electronic or optical intrusion, such as using a webcam to record a person who has a reasonable expectation of privacy. The intrusion must also cause mental anguish or suffering to the plaintiff.

#### 質問 # 60

Based on the 2012 Federal Trade Commission report "Protecting Consumer Privacy in an Era of Rapid Change", which of the following directives is most important for businesses?

- A. Allowing consumers to opt in before collecting any data.
- B. Integrating privacy protections during product development.
- C. Announcing the tracking of online behavior for advertising purposes.
- D. Mitigating harm to consumers after a security breach.

正解: B

解説:

<https://www.ftc.gov/sites/default/files/documents/reports/federal-trade-commission-report-protecting-consumer-privacy-era-rapid-change-recommendations/120326privacyreport.pdf>

#### 質問 # 61

An organization self-certified under Privacy Shield must, upon request by an individual, do what?

- A. Provide the identities of third parties with whom the organization shares personal information.
- B. Identify all personal information disclosed during a criminal investigation.
- C. Provide the identities of third and fourth parties that may potentially receive personal information.
- D. Suspend the use of all personal information collected by the organization to fulfill its original purpose.

正解: A

解説:

Explanation/Reference: [https://www.lakesidesoftware.com/sites/default/files/Privacy\\_Shield\\_Privacy\\_Statement.pdf](https://www.lakesidesoftware.com/sites/default/files/Privacy_Shield_Privacy_Statement.pdf)

#### 質問 # 62

What do the Civil Rights Act, Pregnancy Discrimination Act, Americans with Disabilities Act, Age Discrimination Act, and Equal Pay Act all have in common?

- A. They require employers not to discriminate against certain classes when employees use personal information
- B. They permit employers to use or disclose personal information specifically about employees who are members of certain classes
- C. They require that employers provide reasonable accommodations to certain classes of employees
- D. They afford certain classes of employees' privacy protection by limiting inquiries concerning their personal information

正解: D

#### 解説:

The Civil Rights Act, Pregnancy Discrimination Act, Americans with Disabilities Act, Age Discrimination Act, and Equal Pay Act are all federal laws that prohibit employment discrimination based on certain protected characteristics, such as race, sex, disability, age, and pay.<sup>1234</sup> These laws also afford certain classes of employees' privacy protection by limiting inquiries concerning their personal information that may reveal their protected status or be used for discriminatory purposes. For example:

- \* The Civil Rights Act of 1964 prohibits employers from making pre-employment inquiries that express a preference, limitation, or specification based on race, color, religion, sex, or national origin, unless they are bona fide occupational qualifications.
- \* The Pregnancy Discrimination Act of 1978, which amended the Civil Rights Act of 1964, prohibits employers from making pre-employment inquiries about whether an applicant is pregnant or intends to become pregnant, unless they are related to the ability to perform the job.
- \* The Americans with Disabilities Act of 1990 prohibits employers from making pre-employment inquiries about whether an applicant has a disability or the nature or severity of a disability, unless they are related to the ability to perform the essential functions of the job with or without reasonable accommodation.
- \* The Age Discrimination in Employment Act of 1967 prohibits employers from making pre-employment inquiries about an applicant's age, unless they are related to a bona fide occupational qualification or a lawful affirmative action plan.
- \* The Equal Pay Act of 1963 prohibits employers from making pre-employment inquiries about an applicant's salary history, unless they are made for a lawful purpose other than determining the applicant's pay.

Option A is incorrect because these laws do not require employers not to discriminate against certain classes when employees use personal information. Rather, they require employers not to discriminate against certain classes in any aspect of employment, such as hiring, firing, pay, promotion, training, benefits, etc.<sup>1234</sup> The use of personal information by employees is not directly addressed by these laws, although it may be subject to other privacy laws or policies.

Option B is incorrect because these laws do not require that employers provide reasonable accommodations to certain classes of employees. Rather, only the Americans with Disabilities Act and the Pregnancy Discrimination Act require employers to provide reasonable accommodations to qualified individuals with disabilities and workers with limitations related to pregnancy, childbirth, or related medical conditions, respectively, unless doing so would cause an undue hardship to the employer. The other laws do not have a similar requirement, although they may prohibit employers from denying equal opportunities to certain classes of employees. Option C is correct because these laws afford certain classes of employees' privacy protection by limiting inquiries concerning their personal information that may reveal their protected status or be used for discriminatory purposes, as explained above.

Option D is incorrect because these laws do not permit employers to use or disclose personal information specifically about employees who are members of certain classes. Rather, these laws generally prohibit employers from using or disclosing personal information that is protected by these laws for any unlawful or discriminatory purpose, unless an exception applies. For example, employers may use or disclose such information for legitimate business reasons, such as complying with reporting requirements, administering benefits, or conducting investigations.

References: 1: Facts About Equal Pay and Compensation Discrimination 2: Pregnancy Discrimination and Pregnancy-Related Disability Discrimination | U.S. Equal Employment Opportunity Commission 3: Regulations, Guidance and Policy | Equal Opportunity Guidance | OEOE 4: Age Discrimination | U.S. Equal Employment Opportunity Commission : Pre-Employment Inquiries and Medical Questions & Examinations | U.S. Equal Employment Opportunity Commission : Employee Medical Information | U.S. Equal Employment Opportunity Commission : Employee Privacy Rights | U.S. Department of Labor : Title VII of the Civil Rights Act of 1964 | U.S. Equal Employment Opportunity Commission : Fact Sheet: Pregnancy Discrimination | U.S. Equal Employment Opportunity Commission : The Americans with Disabilities Act: A Primer for Small Business : Age Discrimination in Employment Act of 1967 | U.S. Equal Employment Opportunity Commission : Equal Pay Act of 1963 | U.S. Equal Employment Opportunity Commission

#### 質問 # 63

The use of cookies on a website by a service provider is generally not deemed a 'sale' of personal information by CCPA, as long as which of the following conditions is met?

- A. The service provider retains personal information obtained in the course of providing the services specified in the agreement with the subcontractors.
- B. The analytics cookies placed by the service provider are capable of being tracked but cannot be linked to a particular consumer of that business.
- C. The third party stores personal information to trigger a response to a consumer's request to exercise their right to opt in.
- D. The information collected by the service provider is necessary to perform debugging and the business and service provider have entered into an appropriate agreement.

#### 正解: D

#### 解説:

The California Consumer Privacy Act (CCPA) defines a 'sale' of personal information as any transfer or disclosure of personal information to another business or third party for monetary or other valuable consideration. However, the CCPA also provides some

exceptions to this definition, such as:

If the consumer has directed the business to intentionally disclose the personal information or use the personal information to interact with a third party, provided the third party does not also sell the personal information.

If the business transfers the personal information to a service provider that is contractually prohibited from retaining, using, or disclosing the personal information for any purpose other than performing the services specified in the contract with the business. If the business transfers the personal information to a third party as part of a merger, acquisition, bankruptcy, or other transaction in which the third party assumes control of all or part of the business, provided the information is used or shared consistently with the CCPA. The use of cookies on a website by a service provider is generally not deemed a sale of personal information by the CCPA, as long as the information collected by the service provider is necessary to perform the services specified in the contract with the business, and the service provider does not further collect, sell, or use the personal information of the consumer except as necessary to perform the business purpose. One of the examples of a valid business purpose is to perform debugging to identify and repair errors that impair existing intended functionality. Therefore, option D is the correct answer, as it describes a scenario where the use of cookies by a service provider is not a sale of personal information under the CCPA, assuming the service provider complies with the contractual obligations and does not further use or disclose the information.

## 質問 # 64

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**CIPP-US技術試験:** [https://www.topexam.jp/CIPP-US\\_shiken.html](https://www.topexam.jp/CIPP-US_shiken.html)

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- www.stes.tyc.edu.tw, Disposable vapes

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