



CASE REPORT

1. Complaint reference number	299/05
2. Advertiser	King Gee
3. Product	Clothing
4. Type of advertisement	TV
5. Nature of complaint	Violence Other – section 2.2
6. Date of determination	Tuesday, 11 October 2005
7. DETERMINATION	Dismissed

DESCRIPTION OF THE ADVERTISEMENT

The opening scene in this television advertisement depicts an apprentice starting his first day at a new workplace. As he shakes the manager's hand, the manager warns him: *"Just watch the boys on your first day"*. The following scene depicts four men walking down the aisle of a warehouse. Three of the men are carrying different objects, one a barrel of feathers/fur, another a bucket of honey and the last, a box of feather dusters. One man is shown to lead a goat on a leash. As they approach the new apprentice, they look at him and realise that he is wearing worn shorts. They ask him: *"Have you seen the new apprentice?"* The man shakes his head in reply. The men confer amongst themselves and suspect that the new apprentice might be starting work on the following day. The final scenes in the advertisement show a photograph of the work wear and explain that they have already been "worn-in".

THE COMPLAINT

Comments which the complainant/s made regarding this advertisement included the following:

"To any one who has ever been bullied or harassed in the work place the tone of this ad is in very poor taste and should not be encouraged even in a jocular fashion."

"I was appalled at the comedic, light-hearted treatment of what is essentially 'bastardisation' or bullying of a new worker... It is workplace bullying and should NOT be seen as anything but that. Even the "management" figure in the ad seems to tolerate it. This King Gee advertisement seems to me to promote the idea that bullying a person on their first day/days on the job is funny. It is not."

"Initiation" practices are actually bullying which is workplace harassment. This is illegal. This ad promotes illegal behaviour as being acceptable."

"This advertisement infers that workplace bullying is part of Australian workplace culture. It cuts across all the legislative and other interventions aimed at cutting that sort of behaviour from modern Australian workplaces. It is offensive in terms of workplace discrimination, harassment and legal compliance."

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complaint/s regarding this advertisement included the following:

"KingGee is fundamentally opposed to intimidation or bullying within the work place. In fact, all KingGee employees have recently undertaken workplace harassment training to enable them to better recognise and handle this type of behaviour, should it ever occur within our company."

"In line with that policy, our intention with this commercial was not to condone bullying, indeed anything but! The group of workers shown are depicted more as a group of bumbling, foolish

clowns. The props at their disposal – feathers, honey, a rubber chicken and a goat - are intended to be humorous rather than malicious. Their actions are also not aggressive. Frankly nothing bad happens in the commercial and the whole tone of our advertisement is light hearted and humorous – as the fanciful inclusion of the goat and rubber chicken would strongly imply”

”We believe that most consumers will view this commercial in the light-hearted spirit with which it was intended.”

THE DETERMINATION

The Advertising Standards Board (“Board”) considered whether this advertisement breaches section 2 of the Advertiser Code of Ethics (the “Code”).

The Board noted that the advertisement did hint at workplace bullying taking place, however, the Board was of the opinion that the actions of the workers were presented in a fun and jovial manner rather than presenting or depicting real violence. The Board further considered that the workplace initiation that has been planned by the existing workers seemed somewhat ambiguous and it is not clear that the actions planned would be overly violent.

The Board considered that in the context of prevailing community standards the majority of people would find this advertisement humorous rather than offensive.

The Board found that the depiction did not contravene the provisions of the Code relating to violence or health and safety.

Further finding that the advertisement did not breach the provisions of the Code on any other grounds, the Board dismissed the complaint.