



Ad Standards Community Panel
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Ad Standards Limited
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Case Report

1. Case Number :	0094-22
2. Advertiser :	The BOSS Shop
3. Product :	Hardware/Machinery
4. Type of Advertisement/Media :	TV - Free to Air
5. Date of Determination	11-May-2022
6. DETERMINATION :	Upheld - Modified or Discontinued

ISSUES RAISED

AANA Code of Ethics\2.1 Discrimination or Vilification

DESCRIPTION OF ADVERTISEMENT

This television advertisement features text on screen corresponding to a jingle:
If you're after anything at all, for fixing everything, big or small, we've got lots and lots of bits and bobs at Boss.

We've got wheels everything, lubes and a whole lot of hardware, we've got lots and lots of bits and bobs at Boss.

You're gonna need us if you're a tradie, so come in and see us, we can even help the ladies.

For anything at all, to fix everything big or small, we've got lots and lots of bits and bobs at Boss.

THE COMPLAINT

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

There is a part in the song that reads: "You're gonna need us if you're a tradie, so come in and see us we can even help the ladies." The word ladies appears on the screen in pink. I believe this ad is degrading stereotyping women. It belittles women by comparing them to "tradies" even though there is a large community of female tradies and females that would have a need to visit a hardware store. I feel discriminated



against as a women by this ad and have to view it on free tv every day on multiple channels.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

I am disappointed that this complaint has been made again by what I believe is the same person who made the complaint about 5 years ago.

The Ad has been airing in one form or another for over 7 Years and has only received this complaint previously twice by the same person though this might be a new person which would be then it's second complaint during this time.

To make an extra complaint of "The Ladies" appearing in pink is while new I don't believe to be discriminatory and if judged so there will need to be a wide range of changes made across the world for companies that us pink to highlight a gender. Currently we have tool suppliers making pink tools for a Mother's Day promotion for example.

The use of the word Ladies was used by the jingle company to rhyme with tradies and in no way saying that "ladies cannot be tradies" the complainant is making and incorrect assumption to this line.

The ad does get a lot of air time and the jingle while catchy does get annoying when heard a lot which I have also commented to my wife about, but this is the advertising package I have purchased to increase sales.

The Boss Shop is an equal opportunity employer which consists of more women in the workforce than man and we are proud of this.

In closing I hope that you find that this ad is not sexist or discriminatory as it was never the intention, but if you do rule it to be I will remove the ad though it would be disappointing to do so.

THE DETERMINATION

The Ad Standards Community Panel (the Panel) considered whether this advertisement breaches Section 2 of the AANA Code of Ethics (the Code).

The Panel noted the complainant's concern that the advertisement uses a degrading stereotype and is offensive towards women.



The Panel viewed the advertisement and noted the advertiser's response.

Section 2.1: Advertising or Marketing Communication shall not portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, gender, age, sexual preference, religion, disability, mental illness or political belief.

The Panel noted the AANA Practice Note which provides guidance on the meaning of:

- Discrimination - unfair or less favourable treatment
- Vilification - humiliates, intimidates, incites hatred, contempt or ridicule
- Gender - male, female or trans-gender characteristics.

Does the advertisement portray material in a way which discriminates against or vilifies a person on account of gender?

The Panel noted that this television advertisement for an industrial retail shop features a jingle with the lyric, "we can even help the ladies".

The Panel considered that the trade industry is traditionally viewed as male dominated and that on one view the advertisement is playfully highlighting that women are welcome in the hardware store.

The Panel noted however, that the phrase "we can even help the ladies" is a lazy play on an old fashioned trope that implies that women cannot be tradies, or that women are not good tradies and need extra help.

The Panel noted the Practice Note which states:

"Advertisements should take care to avoid suggesting that skills, interests, roles or characteristics are:

- *always uniquely associated with one gender (eg. family members creating a mess while a woman has sole responsibility for cleaning it up);*
- *the only options available to one gender; or*
- *never carried out or displayed by another gender, as this may amount to discrimination on the basis of gender."*

The Panel acknowledged that the advertiser's intent may have been positive, however considered that the language is outdated and condescending. The Panel considered that even if the advertiser did not intend to suggest that women cannot be 'tradies', that is the interpretation that may be taken by members of the community.

The Panel considered that the use of the word "even" in the phrase "we can even help the ladies" singles out women and suggests that they require special treatment or are somehow more difficult to serve than men or tradesmen.

The Panel considered that the use of pink in the on-screen text was also a stereotypical gender trope, but noted that gender colour schemes are common in



advertising and considered that while it contributed to highlighting the phrase, it was not inherently negative.

The Panel noted that this advertisement was produced several years ago and considered that the advertiser should be aware that community standards are changing and that caution should be taken in their marketing.

Overall the Panel considered that the advertisement does treat women unfairly and less favourably by suggesting that they are less capable or competent than men.

Section 2.1 conclusion

Finding that the advertisement did portray material in a way which discriminates against or vilifies a person or section of the community on account of gender or race, the Panel determined that the advertisement did breach Section 2.1 of the Code.

Conclusion

Finding that the advertisement did breach Section 2.1 of the Code, the Panel upheld the complaint.

THE ADVERTISER'S RESPONSE TO DETERMINATION

The advertisement has been removed until we can get a suitable replacement.