



Case Report

1	Case Number	0117/16
2	Advertiser	Zac Homes
3	Product	House Goods Services
4	Type of Advertisement / media	Billboard
5	Date of Determination	23/03/2016
6	DETERMINATION	Dismissed

ISSUES RAISED

- 2.1 - Discrimination or Vilification Gender
- 2.2 - Objectification Exploitative and degrading - women
- 2.4 - Sex/sexuality/nudity S/S/N - general

DESCRIPTION OF THE ADVERTISEMENT

This billboard advertisement, placed on the M4 at Cumberland Why, features an image of a woman in a cropped shirt, denim shorts and hard hat holding a tool over her shoulder. The text reads, "Tradies Wanted. Join our award winning team. www.zachomes.com.au".

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

This billboard features a woman wearing a midriff top and short skirt, wearing a hard hat and holding a spirit level. There is no correlation between what is being advertised and the placement of the woman there other than to sexually appeal to men who may view the advertisement, in the hope of enticing them to apply to the company. I object to this advertisement as it is the blatant sexualisation of women, and there is no clear connection between why the woman is there, and the nature of the job. I find this objectification of this women extremely offensive and an unnecessary and harmful attitude to permeate in in our society.

THE ADVERTISER'S RESPONSE

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

In response to the complaint received about our billboard advertisement on the M4, we would like to start by saying that ZAC Homes is in no way sexist, and do not discriminate against women. We have as many females working in our company as men.

In the complaint received the description states “advertising for tradesmen”. Our advertisement says, “tradies wanted”. We have specifically not mentioned ‘tradesmen’ in the advertisement, as we were open to any applications for trades to join our team. The advertisement has been well received and we have had over 100 applications for trade’s positions, several of these have been Females.

In response to the codes mentioned in the complaint:

2.1 – 2.2 these codes are suggesting similar things. The woman in the ad is not being discriminated against – there is no reason a female shouldn’t/can’t be holding these types of tools. She is not being degraded or been made out to look silly or incapable and we don’t feel that she is being objectified to create any advantage to us.

2.4 The woman, while not typically dressed as a tradesperson, is not nude or showing any censored body parts. She is wearing a decent amount of clothing. She is not shown in a ‘suggestive’ way and therefore we don’t believe that the sex/sexuality/nudity code has been broken in this case.

The advertisement was designed (by a female) to grab attention, yes the female in the advertisement helps to do so, but in no way was the intention to ‘entice [anyone, not just men] to apply to the company’. Our media buyer made us aware of the advertising standards, and upon submitting our artwork; we were given approval to post our billboard.

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 the complainant’s concerns that the advertisement depicts a sexualised image of a woman and that this image is not relevant to the product advertised.

The Board viewed the advertisement and noted the advertiser’s response.

The Board considered whether the advertisement complied with Section 2.1 of the Code which requires that 'advertisements shall not portray 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 Board noted that this billboard advertisement features an image of a woman wearing a

cropped shirt, denim shorts and hard hat.

The Board noted the complainant's concern that there is no correlation between the image of the woman and the advertised product.

The Board noted the advertiser's response that they are advertising for 'tradies' not 'tradesmen' and that this was intentional as they have male and female tradespeople working for them. The Board noted that renovation programs on television are currently enjoying a high level of popularity and considered that the image of the woman in the advertisement was consistent with the way many women in the renovation programs dress: normal clothing and hard hat for protection.

The Board noted that advertisers are free to use whomever they wish in their advertisements provided it is done in a way that does not breach the Code. The Board considered that in this instance the use of a woman to promote an advertisement for tradespeople of unspecified gender is not of itself discriminatory.

The Board considered that the advertisement did not portray or depict material in a way which discriminates against or vilifies a person or section of the community on account of gender.

The Board determined that the advertisement did not breach Section 2.1 of the Code.

The Board considered whether the advertisement was in breach of Section 2.2 of the Code. Section 2.2 of the Code states: "Advertising or marketing communications should not employ sexual appeal in a manner which is exploitative and degrading of any individual or group of people."

The Board noted the complainant's concerns that the advertisement is using the sexual appeal of a woman to attract men and noted that in order to breach this Section of the Code the images would need to be considered both exploitative and degrading.

The Board noted that it may be exploitative to use an image of a woman in this manner but considered that given the rise of popular renovation programs and the role of women in those programs it is less so and is not degrading in any way.

The Board noted the woman is depicted wearing a hard hat and holding a tool over her shoulder and has her right hand resting on her waist. The Board noted the woman is wearing a cropped shirt and denim shorts and considered that this clothing is often worn by young women and in the Board's view the overall impression of the advertisement is of a strong and confident woman.

The Board acknowledged that some members of the community could find it exploitative to use an image of a woman to promote a male-dominated industry but considered that the manner in which the woman is presented is not exploitative and degrading.

The Board determined that the advertisement did not breach Section 2.2 of the Code.

The Board then considered whether the advertisement was in breach of Section 2.4 of the Code. Section 2.4 of the Code states: "Advertising or Marketing Communications shall treat

sex, sexuality and nudity with sensitivity to the relevant audience”.

The Board noted that the woman in the advertisement is wearing a cropped shirt and denim shorts and considered that the level of nudity is very mild. The Board noted the pose of the woman and considered that she is not presented in a sexualised pose.

The Board considered that the advertisement did treat the issue of sex, sexuality and nudity with sensitivity to the relevant broad audience which would include children.

The Board determined that the advertisement did not breach Section 2.4 of the Code.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaint.