



## **CASE REPORT**

1. Complaint reference number	194/06
2. Advertiser	Jobs.com.au Pty Ltd
3. Product	Employment
4. Type of advertisement	Outdoor
5. Nature of complaint	Discrimination or vilification Race – section 2.1
6. Date of determination	Tuesday, 13 June 2006
7. DETERMINATION	Dismissed

## **DESCRIPTION OF THE ADVERTISEMENT**

This outdoor advertisement shows a “before” picture of an overweight white couple in comparison with an “after” picture of a young black couple well-oiled and wearing swimwear. The latter picture has an asterisk referring to text below stating “Results may vary”.

## **THE COMPLAINT**

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

*Its fundamental premise is that by using its website you will transform from a loser to a winner/success. But in communicating this message they have associated being white Caucasian with a negative, undesirable situation that needs to be changed, that white Caucasians should aspire to be of a different race because they will be better, superior if they are African Americans.*

*The depiction of overweight versus regular weight couples is offensive...and makes implications about overweight people. It is discriminatory and is unrelated to the advertised service.*

## **THE ADVERTISER’S RESPONSE**

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

This is an attempt to highlight the false and often ridiculous promises made by some players in our industry.

*Jobs.com.au in no way wishes to offend any individuals or groups of individuals. To ensure that we did not offend anyone, we deliberately took our creative to the extreme to ensure the audience realised that it was only a completely satirical view of our industry. I must emphasise that Jobs.com.au is an equal opportunity employer and have a diverse mix of individuals all working side by side in our offices.*

*Our advertising campaign displays both older and younger people and a mix of people from right across out society. Jobs.com.au is an employment agency, we cannot afford to (nor do we wish to) discriminate against any individuals or groups.*

## **THE DETERMINATION**

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

The Board did not consider that the depictions in the advertisement vilified people on account of their race or obesity.

The Board considered that the advertisement did not depict realistic 'change of life' scenarios and was a humorous depiction of the overstated promises that can be made by companies offering services. The Board considered that the advertisement did not discriminate against or vilify any people.

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