

COMPLAINT NUMBER	17/205
COMPLAINANT	J.Lett
ADVERTISER	Bisley Workwear
ADVERTISEMENT	Bisley Workwear, Television
DATE OF MEETING	25 July 2017
OUTCOME	Upheld

SUMMARY

The television advertisement for Bisley Workwear showed a series of building site mishaps. The scenario of concern was when a bag of dry cement bursts while being unloaded from the back of a truck and lands all over a worker's head and face. His co-worker hoses him clean while saying "Harden up mate!"

The Advertiser confirmed that the advertisement was a light-hearted workwear commercial showing over exaggerated building site events. They said the advertisement was filmed in a controlled environment.

The Complaints Board agreed the scene in the advertisement where the worker is covered in dry concrete powder did cross the threshold by showing a dangerous situation and the reaction of the co-worker to "harden up" potentially trivialised the seriousness of the issue.

The Complaints Board said the advertisement was in breach of Rule 12 of the Code of Ethics due to the visual presentation of a dangerous practice and had therefore not been prepared with a due sense of social responsibility to consumers and society in breach of Basic Principle 4 of the Code of Ethics.

The Complaints Board ruled the Complaint was Upheld

[Advertisement to be removed]

Please note this headnote does not form part of the Decision.

COMPLAINTS BOARD DECISION

The Chair directed the Complaints Board to consider the advertisement with reference to Basic Principle 4 and Rule 12 of the Code of Ethics. This required the Board to consider whether the advertisement had been prepared with a due sense of social responsibility to consumers and society and whether it contained any visual presentation or description of dangerous or illegal practices or situations which encourage a disregard for safety.

The Complaints Board ruled the complaint was Upheld

The Complaint

The Complainant was concerned about the health and safety aspect of showing a worker having dry cement powder thrown in his face. As this substance can be caustic, they did not believe that it should be part of an attempt at a humorous scenario, centred around the pun “harden up”

The Advertiser’s Response

The Advertiser confirmed that the advertisement was a light-hearted commercial showing over exaggerated building site incidents. They explained that the advertisement was filmed in a controlled environment using cosmetic powder. The substance was immediately washed off. The Advertiser did not consider it realistic that the worker unloading the cement bags would have been wearing protective goggles. The company stressed that they take health and safety seriously.

The Media Response: Commercial Approvals Bureau

The CAB approved the advertisement with a General (G) classification. CAB defended the advertisement, saying it progressed from unsafe to safe situations, therefore confirming that it showed how worksite safety improved when the proper workwear was worn.

The Complaints Board Discussion

The Complaints Board began by discussing how the properties of concrete contains Calcium Oxide which becomes Calcium Hydroxide when wet, making it an alkaline substance which can burn eyes and skin.

The Complaints Board was unanimous in its view that, given the caustic nature of concrete, a visual representation of a man receiving a face full of dry concrete powder elevated the otherwise light-hearted depiction of work safety mishaps into a more serious health and safety concern.

The Complaints Board agreed that the pun used in conjunction with the concrete segment of the advertisement, where the worker was told to “Harden up,” was problematic, as it could be seen to trivialise the serious health risk concrete exposure to the skin and eyes could cause and imply the worker should simply ignore the incident and ‘get over it’.

The Complaints Board ruled that the advertisement had breached the threshold of Rule 12 of the Code of Ethics by depicting a visual presentation of a dangerous practice. The Complaints Board agreed that the advertisement did not necessarily encourage a disregard for safety, but the Advertiser needed to be mindful of inadvertently condoning dangerous workplace practises when attempting to take a humorous stance on workplace safety.

The Complaints Board said the advertisement was in breach of Rule 12 of the Code of Ethics due to the visual presentation of a dangerous practice and had therefore not been prepared with a due sense of social responsibility to consumers and society and was in breach of Basic Principle 4 of the Code of Ethics.

Accordingly, the Complaints Board ruled to Uphold the complaint.

DESCRIPTION OF ADVERTISEMENT

The television advertisement for Bisley Workwear shows a series of mishaps on a building site. A bag of concrete mix breaks open over a worker’s face, a colleague cleans him off with water while saying “Harden up mate”. The worker has dust blown into his face, with his colleague commenting “Bit dusty there buddy?” A pipe slips and pours water over the worker

eating lunch. The co-worker say "Pipe down pal." Finally, the same worker has a bird poop" on his head, with the last comment being, "Looks like it's your lucky day." The advertisement ends with the tag-line, Bisley Workwear, we've got you covered.

COMPLAINT FROM J LETT

I'm concerned that this ad shows a tradie (not wearing safety glasses) getting a face full of what appears to be dry concrete or cement powder, being hosed in the face by another man and being told to "harden up". These building materials are extremely caustic and can cause serious eye damage. Although the appropriate initial treatment IS to wash out with copious water, any tradie should know this is potentially an emergency and they should seek urgent medical assessment, not "harden up".

CODE OF ETHICS

Basic Principle 4: All advertisements should be prepared with a due sense of social responsibility to consumers and to society.

Rule 12, Safety: Advertisements should not, unless justifiable on educational or social grounds, contain any visual presentation or any description of dangerous or illegal practices or situations which encourage a disregard for safety.

RESPONSE FROM ADVERTISER: BISLEY WORKWEAR

A basic, neutral description of the advertisement	A light hearted workwear commercial showing over exaggerated building site events to promote Bisley Workwear apparel.
Date advertisement began	19 th March 2017
Where the advertisement appeared	TV
Is the advertisement still accessible – where and until when?	Yes, TV until August
Who is the product / brand target audience?	Anyone who is required to wear workwear apparel in the industrial workplace.
Clear substantiation on claims that are challenged by the complainant.	The incident where the tradie has got a faceful of cement powder was exaggerated and in fact was harmless cosmetic powder used in a controlled environment with health and safety personnel present. In real life this would most probably be a small amount of dirt and J Lett is correct that the procedure used was to immediately wash the tradies face. The second event clearly shows the use of protective goggles which may not generally be used by tradies in the first and third event of the ad.

	<p>This is a light-hearted ad and whilst Bisley take Health and Safety seriously, we do like to take a humorous approach to promoting ourselves. As explained above this was conducted in a controlled environment and is meant to take a light hearted look at real events in the workplace. This is the first complaint we have received in Australia or New Zealand. We would also like you to consider that it is unrealistic that J. Lett's suggestion of wearing goggles whilst unloading a vehicle would occur in a practical environment.</p>
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RESPONSE FROM MEDIA: COMMERCIAL APPROVALS BUREAU

We have been asked to respond to this complaint under the following codes:

Code of Ethics – Basic Principle 4, Rule 12;

CAB approved this Bisley Workwear commercial on 22/03/17 with a G classification. Under CAB's internal procedures, the commercial is categorised as a Retail Clothing advertisement.

Bisley Workwear is an Australian company specialising in the sale of work and safety apparel, including hi-vis jackets and leggings, flame-resistant coveralls, and insect protective apparel. Their business is founded on the promotion of worksafe goods.

In the opening scene of the commercial, a worker who is not wearing safety glasses is covered in dry cement – an unsafe situation. In the following scene, that same worker is covered in sawdust, but this time he is wearing safety glasses – a safe situation.

The commercial has shown that worksite safety improves when the proper gear is worn (the advertiser's product). Other scenes in the commercial highlight the durability and suitability of Bisley products for a working environment (waterproofing, fibre resistance, etc.)

The message of wearing appropriate and high quality gear is presented quite clearly by the advertiser, and the average NZ viewer will appreciate this fact.

Bisley's entire business model relies on consumers taking workplace safety seriously, and in the preparation of their advertisement they have observed a keen sense of social responsibility. Subsequently, CAB does not believe the advertiser should be penalised with an upheld decision.