

When HR Becomes the Barrier: Rethinking Flexibility Governance in Professional Services

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Abstract: *Human resources departments are positioned as strategic partners in workplace transformation, yet emerging evidence suggests they may obstruct rather than enable critical flexibility initiatives. Recent research examining female lawyers in elite international law firms reveals that HR functions frequently impede individualized flexibility arrangements (i-deals), while line managers and partners facilitate them through informal channels. This pattern creates shadow negotiation systems, exacerbates gender inequalities, and drives talent attrition. Organizations lose significant human capital investments when HR risk-aversion conflicts with operational realities. This article examines the organizational consequences of HR inflexibility, presents evidence-based interventions for recalibrating HR's role in flexibility governance, and proposes frameworks for building sustainable, manager-led flexibility systems while preserving equity and compliance safeguards. The analysis draws on professional services contexts but offers transferable insights for knowledge-intensive industries confronting similar tensions between standardization and customization in work arrangements.*

Keywords: Human resources, workplace flexibility, strategic partnership, i-deals, talent retention, gender inequality, shadow negotiation systems, manager-led flexibility, organizational effectiveness, knowledge-intensive industries

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The discourse around human resources as a "strategic business partner" has dominated management literature for over three decades. Since Dave Ulrich's seminal 1997 work *Human Resource Champions*, HR departments have positioned themselves as architects of organizational transformation,

custodians of talent strategy, and enablers of progressive workplace practices. Ulrich argued that HR must move beyond administrative transaction processing to become genuine strategic partners, aligning people practices with business objectives and driving organizational change (Ulrich, 1997).

Yet a fundamental contradiction is emerging: in domains where flexibility has become essential to talent retention—particularly for women navigating caregiving responsibilities—HR often functions as an institutional obstacle rather than a facilitator. The gap between strategic rhetoric and operational reality has rarely been more stark.

Recent research by Skinner and Ramsay (2025) examining female lawyers in elite international law firms exposes this paradox directly. When women negotiate individualized flexibility deals (i-deals)—arrangements tailored to specific circumstances beyond standard policies—they systematically bypass HR departments. Instead, they forge direct agreements with line managers and partners who understand operational realities and possess decision-making authority. HR is perceived as "obstructive, overly bureaucratic, and risk-averse," creating barriers rather than pathways to sustainable work arrangements.

The stakes extend beyond individual accommodation requests. Organizations hemorrhage talent when inflexible HR systems collide with legitimate flexibility needs. Shadow negotiation systems emerge, accessibility becomes relationship-dependent, and equity suffers as those with less social capital or visibility cannot secure equivalent arrangements. Meanwhile, HR departments risk organizational irrelevance in precisely the domain where they claim expertise: managing human capital strategically.

This article examines why HR becomes the obstacle in flexibility negotiations, analyzes the organizational costs of this dysfunction, and presents evidence-based approaches for recalibrating flexibility governance. The context is professional services—law, consulting, accounting—but the implications reach across knowledge-intensive sectors where customization increasingly trumps standardization in talent management.

The Professional Services Flexibility Landscape

Defining Individualized Flexibility Deals in High-Stakes Environments

Individualized deals, or i-deals, represent "voluntary, personalized agreements of a nonstandard nature negotiated between individual employees and their employers regarding terms that benefit each party" (Rousseau, 2005, p. 8). Unlike formal flexible working policies available to all employees meeting specified criteria, i-deals are bespoke: tailored to particular individuals' circumstances, negotiated rather than granted, and often invisible to the broader organization.

Denise Rousseau's foundational work on i-deals established that these arrangements exist across employment contexts but become particularly prevalent in high-skill, high-stakes environments where individual contribution varies substantially and standardization proves difficult. Professional services firms exemplify this context. Elite law partnerships, consulting firms, and accounting practices operate

on models requiring intensive client service, unpredictable demands, and relationship-based work that resists uniform policies (Rousseau, 2005).

In these settings, i-deals typically address scheduling flexibility (reduced hours, compressed weeks, remote work beyond standard allowances), client assignment control (avoiding travel-intensive matters, selecting practice areas compatible with caregiving), and performance targets adjusted for individual circumstances. These arrangements emerge because standard policies cannot accommodate the diversity of situations while maintaining the intensive client service model that defines elite professional practice.

The gender dimension is critical. Women remain primary caregivers in most households, and professional services reward extreme availability—what Joan Williams and colleagues term the "ideal worker" norm that assumes unencumbered commitment. This norm operates as a powerful cultural schema that stigmatizes any deviation from complete availability, particularly for women whose requests for flexibility are often interpreted through gendered stereotypes about commitment and competence (Williams et al., 2013).

Williams et al. (2013) demonstrate that the "flexibility stigma" varies by social class and organizational context, but in elite professional settings it remains particularly acute. Lawyers, consultants, and accountants who request or utilize flexibility—even formal policy-based arrangements—face subtle and overt penalties: exclusion from high-profile assignments, skepticism about commitment, and reduced advancement prospects. I-deals become survival mechanisms for women seeking to remain in careers requiring 60+ hour weeks while managing caregiving. The alternative is often exit.

Prevalence, Drivers, and the Shadow System Problem

The Skinner and Ramsay (2025) study provides rare empirical insight into how i-deals actually function in professional services. Through interviews with female lawyers in elite international firms across multiple jurisdictions, they document a consistent pattern: women who successfully maintain careers while managing caregiving responsibilities do so primarily through direct negotiations with partners and practice group leaders, not through HR-administered processes.

The researchers found that HR departments were consistently described as obstacles rather than facilitators. Women reported that HR required extensive documentation of personal circumstances, questioned the legitimacy of needs that partners had already validated operationally, imposed bureaucratic delays that felt like interrogations, and frequently denied or complicated requests that managers were willing to approve. The result: lawyers learned to bypass HR entirely, negotiating arrangements directly with decision-makers and keeping them informal to avoid HR interference (Skinner & Ramsay, 2025).

This creates what Skinner and Ramsay term a "shadow system" of flexibility governance. Arrangements exist and function operationally but lack formal documentation, institutional recognition, or consistent terms. Partners approve reduced schedules, modified billable targets, or

client assignment preferences based on individual relationships and operational judgment, but these agreements remain invisible to the broader organization and unprotected by formal policy.

The shadow system generates three critical problems. First, it exacerbates inequality in access. Women with strong partner relationships, high visibility, valuable client portfolios, or social capital can negotiate effectively. Junior lawyers, those in less profitable practice areas, women of color navigating additional bias barriers, and anyone lacking powerful advocates struggle to secure arrangements. Access depends on individual negotiation skill and relationship quality rather than legitimate need or organizational policy (Skinner & Ramsay, 2025).

Second, shadow arrangements lack protection and stability. Without formal documentation, partners can revoke arrangements unilaterally when business pressures increase or leadership changes. Women operating under informal agreements report constant anxiety about their precarity and hesitate to enforce boundaries when arrangements are violated. The lack of institutional backing leaves individuals vulnerable.

Third, the shadow system undermines HR credibility and organizational governance. When the formal system is systematically bypassed because it doesn't work, HR loses legitimacy. Yet the organization also lacks visibility into actual working arrangements, creating compliance gaps, equity monitoring challenges, and potential legal exposure if arrangements produce unexplained compensation or advancement disparities.

Organizational and Individual Consequences of HR Inflexibility

Organizational Performance Impacts

When HR functions obstruct flexibility negotiations, organizations experience measurable performance degradation across multiple dimensions. The Skinner and Ramsay (2025) study documents the most direct impact: talent attrition. Multiple lawyers in their sample resigned specifically because HR rejected or overcomplicated flexibility requests that partners were willing to accommodate. These weren't marginal performers seeking to reduce contribution—they were successful lawyers with strong client relationships and performance records who needed specific arrangements to sustain their careers.

Each departure represents substantial lost investment. Professional services firms invest heavily in recruiting, training, and developing lawyers through years of apprenticeship. Client relationships take time to build, practice expertise requires substantial experience, and institutional knowledge about clients, matters, and firm operations accumulates slowly. When a senior lawyer exits, the organization loses not just current contribution but future potential and relationship capital that cannot be quickly replaced.

The opportunity cost extends beyond replacement expenses. In professional services, client relationships often follow individuals. When senior lawyers exit because flexibility was denied, they frequently take clients and teams with them—either to competitors offering better arrangements or

when establishing independent practices. The Skinner and Ramsay study notes several instances where flexibility-related departures directly triggered client transfers, impacting firm revenue immediately and visibly.

Shadow negotiation systems create governance gaps that expose organizations to legal and reputational risk. When managers approve arrangements that HR has not documented or sanctioned, organizations lack consistent records for compliance purposes. If informal flexibility i-deals create compensation disparities—for example, if women working reduced hours receive proportionally lower compensation than men while performing equivalently—the organization may face discrimination claims without clear documentation of arrangement terms and business justifications.

Perhaps most fundamentally, HR inflexibility around i-deals signals a profound organizational dysfunction: the formal system designed to manage human capital is actively counterproductive, forcing operational leaders to work around it. This suggests deeper problems with HR's understanding of business realities, risk calibration, and value proposition. When line leaders consistently bypass HR to get work done, the strategic partner rhetoric rings hollow.

Individual Wellbeing and Stakeholder Impacts

For individual employees—particularly women navigating caregiving while maintaining professional careers—HR inflexibility creates acute stress and career jeopardy. The Skinner and Ramsay (2025) study captures this through direct testimony. Lawyers described HR interactions around flexibility requests as "interrogations," requiring extensive justification of personal circumstances and defending needs that managers had already validated as operationally feasible. One lawyer noted that the HR process felt like "proving you deserve to be a parent and a lawyer simultaneously, which shouldn't require proof."

This bureaucratic burden compounds the stress of managing intensive professional demands and caregiving responsibilities. The message conveyed is that personal circumstances requiring flexibility are suspect, that women seeking arrangements are potentially exploiting the organization, and that their commitment is questionable. This directly contradicts decades of research on organizational support and psychological safety, which demonstrate that employees perform best when organizations signal trust and accommodation rather than suspicion (Williams et al., 2013).

The career penalty for flexibility—formal or informal—operates through multiple mechanisms. Williams et al. (2013) document how flexibility stigma functions in professional contexts: individuals utilizing flexible arrangements are perceived as less committed, less competent, and less deserving of advancement regardless of their actual performance. The stigma applies even to formal, policy-based arrangements, but intensifies when arrangements are informal or unusual, marking individuals as deviation from the ideal worker norm.

For women operating under shadow i-deals to avoid HR, the situation becomes paradoxical. Keeping arrangements informal avoids the formal stigma and HR obstacles, but sacrifices protection—the arrangement can be revoked without recourse. Formalizing through HR provides documentation but

triggers bureaucratic barriers and marks the individual as requiring special accommodation. Neither path is safe.

The mental health implications are significant. The Skinner and Ramsay (2025) research notes that several lawyers described flexibility negotiations as among the most stressful professional experiences of their careers—more stressful than difficult client matters or partnership decisions. The combination of navigating personal circumstances requiring flexibility, facing organizational systems that obstruct rather than support, managing career penalty fears, and sustaining intensive professional performance creates unsustainable psychological burden.

Clients and organizational stakeholders also bear costs, though less visibly. When talented lawyers reduce effectiveness due to unsustainable arrangements, scale back client service, or exit entirely due to flexibility conflicts, client relationships suffer. The Skinner and Ramsay study notes instances where client service continuity was disrupted during transitions after flexibility-related departures. For firms positioning themselves as progressive employers—common in elite professional services recruiting—the gap between rhetoric and reality constitutes reputational risk that can affect both talent attraction and client perception.

Evidence-Based Organizational Responses

Distributed Flexibility Authority with Manager Empowerment

The most fundamental intervention supported by the evidence involves shifting decision-making authority from centralized HR to distributed managers and team leaders. The logic is straightforward: managers closest to the work understand operational realities, client demands, team composition, workflow patterns, and individual capabilities far better than central HR functions. They are best positioned to evaluate whether specific flexibility arrangements are operationally feasible and how to structure them for sustainability.

The Skinner and Ramsay (2025) research demonstrates this empirically. In every successful flexibility arrangement they documented, the critical enabler was a partner or practice group leader who understood the operational context and possessed authority to approve arrangements. These leaders could assess client impact, structure coverage models, adjust expectations appropriately, and commit resources to make arrangements work. HR involvement, when it occurred, consistently slowed or blocked arrangements that managers had already validated as feasible.

This suggests a fundamental reallocation: decision authority for routine flexibility requests should rest with operational managers, not HR. Managers should be empowered to approve arrangements meeting defined parameters without HR approval or intermediation. HR's role shifts from gatekeeper to system designer—creating frameworks, tools, and guardrails that enable distributed decision-making while preserving equity and compliance.

Effective approaches for distributed authority include:

Clear decisional boundaries: Define which categories of flexibility requests managers can approve autonomously versus which require specialized input. Managers might approve schedule adjustments within a specified FTE range (e.g., 60-100%), location flexibility within defined geographies, or modified performance targets meeting minimum thresholds. Requests falling outside parameters—extended leaves requiring coverage planning, cross-border arrangements with tax/legal implications, or arrangements creating precedent concerns—could trigger review, but the default is manager authority not HR approval.

Presumptive approval frameworks: Establish that flexibility requests meeting defined criteria are presumptively approved unless specific, documented business constraints apply. This reverses the burden from employee justification (proving the arrangement should be granted) to organizational justification (proving the arrangement cannot be accommodated). Given that Skinner and Ramsay (2025) show managers are willing to approve most requests when given authority, presumptive approval aligns policy with practice.

Manager capability and support systems: Equip managers with decision frameworks, scenario planning tools, and access to peer consultation when facing complex requests. The goal is confident, competent decision-making, not abdication. Managers need structured approaches for evaluating client impact, assessing team sustainability, determining appropriate performance expectations, and documenting arrangements consistently.

Appeal pathways outside HR: Create routes for employees to escalate manager denials to senior leadership, partnership committees, or ombudsperson roles rather than back through HR. This ensures HR is not simultaneously gatekeeper and arbiter of appeals, which creates inherent conflict and reinforces HR obstruction when appeals challenge HR initial denials.

Accountability for arrangement sustainability: Hold managers accountable not just for approving/denying but for implementation quality. If managers approve arrangements that subsequently fail—creating client service issues, team resentment, or individual burnout—that reflects poor judgment requiring correction. Conversely, managers who successfully integrate flexible arrangements should be recognized, creating positive incentives for flexibility enabling rather than just risk avoidance through denial.

The distributed authority model directly addresses the core problem Skinner and Ramsay (2025) identify: HR obstruction. By removing HR from routine approval flows, organizations eliminate the bureaucratic barrier while preserving management oversight through empowered operational leaders.

Transparency to Combat Shadow Systems and Enable Equity

A second critical intervention addresses the shadow system problem: make flexibility arrangements visible through structured transparency rather than individual secrecy. The Skinner and Ramsay (2025) research shows that shadow i-deals proliferate partly because individuals and managers avoid HR but

have no alternative formalization mechanism. Creating transparency systems that don't require HR gatekeeping can bring arrangements into the light while preserving the distributed authority that makes them work.

Rousseau's (2005) foundational work on i-deals emphasizes that these arrangements need not be entirely individualized and invisible. Organizations can create "ex ante" i-deal frameworks—predetermined categories of possible arrangements with eligibility criteria, expected terms, and approval processes—that enable customization within structure. This differs from one-size-fits-all policies by allowing choice and negotiation, but differs from pure shadow systems by providing visibility and consistency.

Transparency serves multiple functions. First, it establishes what's possible, helping employees understand realistic requests and reducing manager anxiety about creating problematic precedents. Second, it enables equity monitoring—patterns of who receives arrangements and who doesn't become visible, allowing identification and correction of bias. Third, it normalizes flexibility as a standard feature of employment rather than an exceptional accommodation, reducing stigma that Williams et al. (2013) identify as a primary barrier to utilization.

Transparency mechanisms include:

Anonymized arrangement catalogs: Create internal databases or platforms where employees can view categories of flexibility arrangements that have been approved, organized by role level, practice area, or function. For example: "Senior Associate, Litigation, 80% FTE (4-day week), Thursday off, proportional billable target and compensation." This shows what's possible without identifying individuals, providing negotiation benchmarks and reducing the sense that each request is unprecedented.

Manager decision-support tools with precedent libraries: Provide managers with access to examples of how similar requests have been structured elsewhere in the organization, including how workload was redistributed, what performance expectations were set, and what outcomes were achieved. This builds manager confidence and promotes consistency without requiring every decision to flow through central approval.

Regular utilization and demographic reporting: Publish periodic data (quarterly or biannually) on flexibility arrangement uptake across the organization, broken down by dimensions like gender, race, parental status, role level, and practice area. This makes patterns visible: if women in certain groups have substantially lower uptake despite similar responsibilities, or if arrangements correlate strongly with seniority beyond what performance would justify, leadership can investigate structural barriers.

Transparent criteria and standards: Codify and communicate the factors that should inform flexibility decisions—client service requirements, team coverage needs, individual performance and tenure, business impact, equity considerations—so both employees and managers understand the evaluation framework. Transparency about how decisions should be made reduces arbitrariness and enables employees to self-assess request viability before initiating formal negotiation.

Protected documentation channels outside HR: Establish simple documentation mechanisms (e.g., manager submits arrangement summary to central registry; employee and manager both receive confirmation) that create institutional record without requiring HR approval. This brings shadow arrangements into light for governance purposes while preserving manager decision authority.

The transparency interventions directly counter the shadow system dynamics Skinner and Ramsay (2025) observe. By creating visibility mechanisms that don't route through HR gatekeeping, organizations can formalize arrangements, enable equity monitoring, and reduce the precarity individuals experience under purely informal systems—all while maintaining the manager authority that makes arrangements operationally functional.

Equity Monitoring Without Centralized Approval

A legitimate concern about distributed flexibility authority is potential for bias and inequality. If managers control access and managers carry unconscious biases—substantial research confirms they do—won't distributed systems exacerbate disparities? The Skinner and Ramsay (2025) evidence shows this already occurs: women with powerful advocates, established client relationships, and high visibility access i-deals more easily than those lacking such advantages, and women of color face compounded barriers.

However, the evidence suggests the solution is not centralized HR gatekeeping, which Skinner and Ramsay show creates different problems while failing to ensure equity. Instead, organizations should implement distributed authority with robust equity monitoring and intervention mechanisms—real-time visibility into patterns with rapid correction capability rather than case-by-case pre-approval.

Equity safeguard approaches include:

Demographic pattern analysis: Systematically track flexibility request rates and approval rates by demographic categories (gender, race, parental status, role level, practice area, etc.), identifying statistically significant disparities that warrant investigation. For example, if requests from women of color are approved at substantially lower rates than requests from white women with equivalent performance and tenure, that signals potential bias requiring intervention.

Mandatory documentation of denials: Rather than requiring employees to justify why requests should be granted, require managers to document business reasons when requests are denied. This creates an auditable trail that can be reviewed for consistency and bias. If a manager denies requests disproportionately from specific demographic groups, or provides weaker business justifications for some denials than others, that becomes visible for corrective action.

Peer review for significant denials: Any request denial that falls outside established patterns—for example, denying an arrangement that has been approved for similarly situated employees elsewhere—triggers peer manager review before becoming final. This catches potentially bias-driven decisions without requiring HR pre-approval for every request.

Regular equity audits of access patterns: Conduct periodic analyses (quarterly or biannually) examining not just who requests flexibility but who has arrangements in place, by demographic group and role type. Compare utilization patterns to need indicators (e.g., parental status, caregiver responsibilities) and performance distributions. If high-performing women in certain groups have substantially lower flexibility arrangement rates than high-performing men, investigate whether silent barriers prevent requests from being made.

Independent equity officer or ombudsperson: Establish a role outside both HR and management chains where employees can raise concerns about discriminatory flexibility denials or inequitable access patterns. This role has investigation authority and can recommend remedies including arrangement approval, manager training, or policy adjustment.

Proactive manager training on bias: Educate managers explicitly about common biases in flexibility decisions—assuming women with arrangements are less committed, holding women to higher performance standards to "earn" flexibility, attributing men's requests to legitimate career strategy but women's to personal limitation. Scenario-based training that surfaces these patterns can improve decision quality.

The equity monitoring approach recognizes that perfect neutrality is impossible—bias exists in any human decision-making system, centralized or distributed. The question is which system enables faster detection and correction. Skinner and Ramsay (2025) suggest centralized HR gatekeeping doesn't prevent inequity; it just makes it less visible while adding bureaucratic barriers that affect everyone. Distributed authority with robust monitoring makes patterns visible in real time, enabling targeted intervention rather than blanket restriction.

Redefining HR Value Proposition: From Gatekeeper to System Designer

The most fundamental long-term shift involves reconceptualizing HR's role in flexibility governance entirely. The evidence from Skinner and Ramsay (2025) suggests that HR gatekeeping actively damages organizational outcomes: it drives talent attrition, creates shadow systems, slows operational decision-making, and fails to ensure equity. Yet organizations clearly need some coordinating function for flexibility—pure decentralization without structure creates its own problems.

The solution is to redefine HR value-add from transaction control to system design and capability building. This aligns with Ulrich's (1997) original vision of HR as strategic partner, though perhaps not as Ulrich imagined. In this model, HR doesn't approve individual flexibility requests; instead, HR builds the frameworks, tools, capabilities, and insights that enable distributed decision-making to function effectively and equitably.

Evolved HR contributions include:

Designing choice architecture and decision frameworks: HR creates structured approaches managers use to evaluate requests consistently—decision trees, assessment templates, scenario planning tools. These frameworks incorporate business considerations, equity safeguards, legal requirements, and best

practices, enabling managers to make sophisticated judgments without requiring HR case-by-case approval.

Building manager capability: HR develops and delivers training, peer learning forums, coaching, and just-in-time support that builds manager confidence and competence in flexibility decisions. This includes bias awareness, difficult conversation skills, arrangement structuring techniques, and performance management for employees on flexible schedules.

Enabling transparency and knowledge sharing: HR builds and maintains systems that make flexibility arrangements visible, create precedent libraries, enable peer learning, and reduce the sense that each request is unprecedented. This includes technology platforms, communication campaigns, and cultural interventions that normalize flexibility.

Monitoring for equity and compliance: HR analyzes patterns in requests, approvals, utilization, and outcomes to identify disparities, surface bias, and ensure legal compliance. Rather than preventing problems through pre-approval, HR detects problems through pattern analysis and intervenes with targeted solutions—manager training, policy adjustment, specific arrangement reviews.

Generating insight from data: HR conducts systematic analysis of which flexibility arrangements are sustainable, which create challenges, under what conditions, and for which populations. This organizational learning feeds back into frameworks, training, and continuous improvement rather than remaining tacitly held in manager experience or HR case files.

Interventions for systemic issues: When monitoring identifies equity gaps, compliance risks, or widespread manager capability deficits, HR designs and implements targeted interventions—new training modules, policy adjustments, communication campaigns, manager accountability mechanisms—rather than tightening central control.

This evolved HR function is genuinely strategic in Ulrich's (1997) sense: it builds organizational capability to execute business strategy (in this case, talent retention and optimization through flexibility). It requires different skills than traditional HR compliance and transaction administration—capabilities in behavioral design, data analysis, change management, and adult learning rather than policy interpretation and risk avoidance.

The challenge is cultural. HR functions may resist this evolution because it reduces visible transaction volume that provides institutional relevance and influence. The Skinner and Ramsay (2025) study suggests this resistance is precisely what's happening—HR clings to gatekeeping because it provides organizational position, even as that gatekeeping undermines organizational effectiveness.

Leadership must therefore make explicit that HR's value lies in enabling distributed capability, not controlling individual transactions. This requires senior commitment to different HR metrics (manager confidence in making flexibility decisions, equity in access patterns, sustainability of arrangements, talent retention among those utilizing flexibility) rather than traditional ones (policy compliance rates, consistency of approvals, risk mitigation).

Building Long-Term Flexibility Capability

Manager-Led Flexibility as Core Leadership Competency

Sustainable flexibility systems require embedding flexibility arrangement evaluation and management as a core competency for all people managers, equivalent in importance to performance evaluation, development planning, or client relationship management. This represents a fundamental shift from viewing flexibility as an HR-administered program to recognizing it as integral to effective team leadership.

The Skinner and Ramsay (2025) evidence points toward this model: successful flexibility arrangements occur when managers own them, understand operational implications, and commit to making them work. Failed arrangements occur when managers approve without adequate thought, lack implementation capability, or view flexibility as imposed accommodation rather than strategic workforce optimization.

Organizations building this capability integrate flexibility management into leadership development curricula, promotion criteria, and managerial performance evaluation. Managers are assessed not only on business outcomes but on their ability to structure work enabling diverse talent to contribute effectively and sustainably. This includes flexibility arrangement quality, equity of access across their teams, and outcomes for individuals utilizing arrangements (retention, performance, career progression, wellbeing).

For professional services specifically, this might mean incorporating flexibility capability into partnership criteria. Partners should demonstrate ability to build sustainable teams including members with varying arrangements, structure client service to accommodate flexibility without quality degradation, and retain talent that competitors lose due to inflexibility. Partner compensation can incorporate metrics reflecting diversity and retention of team members working flexibly, aligning incentives with strategic rhetoric about inclusive talent management.

This approach requires cultural change beyond policy. Senior leaders must model flexibility utilization where appropriate—signaling that arrangements are legitimate for anyone, not just women or junior staff. Leaders must explicitly communicate that optimizing team flexibility is strategic capability, not administrative burden. And organizations must visibly reward managers who excel at this, creating aspirational examples rather than treating flexibility as a unfortunate accommodation that good managers minimize.

The capability-building approach addresses a root cause Skinner and Ramsay (2025) identify: when managers lack confidence or frameworks for flexibility decisions, they either deny reflexively (safe choice that avoids risk but loses talent) or defer to HR (triggering the gatekeeping dysfunction). Building genuine manager capability creates a viable third path: informed, confident decision-making that produces sustainable arrangements.

Normalizing Flexibility Through Cultural Change

While much of this article focuses on structural and governance interventions, the evidence—particularly from Williams et al. (2013) on flexibility stigma—makes clear that cultural transformation is equally essential. Even perfectly designed systems fail if utilizing flexibility carries career penalty through stigmatization.

Williams et al. (2013) demonstrate that flexibility stigma operates through cultural schemas—deeply held assumptions about what constitutes commitment, competence, and deservingness in professional contexts. The ideal worker schema assumes that serious professionals are fully available, that reduced hours signal reduced commitment, and that caregiving responsibilities mark someone as less career-focused. These schemas are gendered: women requesting flexibility are seen as prioritizing family over career (confirming gender stereotypes), while men requesting flexibility are viewed more neutrally or even positively (demonstrating work-life balance and modern values).

Changing these cultural schemas requires sustained intervention at multiple levels. Senior leaders must actively counter the stigma through visible messaging, modeling, and enforcement. This means not just permitting flexibility but celebrating it—highlighting examples of individuals who work flexibly and excel, explicitly rejecting assumptions that reduced hours equals reduced contribution, and imposing consequences when managers penalize legitimate flexibility utilization.

Organizations must also examine how performance evaluation, advancement decisions, and opportunity allocation function. If high-profile assignments systematically go to those working longest hours rather than those delivering highest quality, if partnership decisions favor "face time" and availability over results, or if informal networking and advancement occur through activities incompatible with caregiving schedules, flexibility remains stigmatized regardless of policy. Systemic practices must align with stated values.

The Skinner and Ramsay (2025) research notes that in firms where partners visibly utilized flexible arrangements themselves—including senior male partners who adjusted schedules for caregiving—stigma diminished substantially. Conversely, in firms where flexibility was tacitly understood as a "women's issue" marking career limitation, uptake remained low and career penalties persisted regardless of formal policy support.

Cultural change is slow and requires persistence, but the evidence suggests it's achievable. Organizations that commit to multi-year efforts—combining visible leadership commitment, structural alignment of practices with values, manager accountability for team culture, and celebration of flexibility success stories—can shift schemas from viewing flexibility as accommodation for the weak to understanding it as intelligent workforce optimization. Without this cultural shift, even well-designed structural interventions will underperform as individuals fear utilizing arrangements that exist on paper but carry informal penalties.

Treating Flexibility as Strategic Capability Requiring Investment

The final pillar of long-term capability involves treating flexibility as a strategic organizational capability requiring investment, measurement, and continuous improvement—comparable to client service quality, innovation capacity, or operational efficiency. This represents a fundamental reframing from flexibility as cost (accommodating individual needs) to flexibility as capability (optimizing diverse talent contributions).

Rousseau's (2005) work on i-deals emphasizes that these arrangements create value for both parties when structured well—employees gain sustainability and fit, employers gain retention and performance. But realizing that value requires intentional design, implementation capability, and learning. Organizations that treat flexibility arrangements as inevitable accommodations to be minimized will achieve different outcomes than organizations that treat them as strategic talent levers to be optimized.

Strategic capability building requires:

Dedicated resources and expertise: Assign specific HR capability to flexibility system design, manager support, equity monitoring, and continuous improvement rather than treating it as additional responsibility for generalist HR staff already focused on compliance and transactions.

Investment in enabling technology: Implement platforms that facilitate arrangement transparency, documentation, manager decision support, and pattern analysis rather than relying on email-based approval chains and spreadsheet tracking.

Systematic outcome measurement: Track metrics that matter—retention of high performers utilizing flexibility, career progression rates for those with arrangements compared to those without (controlling for performance), client satisfaction scores for teams with flexible members, manager confidence in flexibility decisions, employee perception of fairness and accessibility.

Continuous learning and improvement: Regularly analyze which arrangement types are sustainable, which create challenges, under what conditions, and for which populations. Feed these insights back into manager training, decision frameworks, and policy evolution. Treat flexibility as an operational system requiring iterative refinement, not a static policy to be administered.

Cross-organization learning: Participate in industry forums, benchmark against competitors, and engage with research evidence on flexibility innovation. Professional services firms compete for the same talent pools; those that develop superior flexibility capability will gain competitive advantage in talent markets.

This strategic framing provides the business case for evolution from HR gatekeeping to distributed capability systems. The question isn't whether flexibility creates costs—any customization involves complexity. The question is whether the capability to enable sustainable flexibility arrangements creates value exceeding those costs through talent retention, performance optimization, reputation enhancement, and competitive differentiation. The Skinner and Ramsay (2025) evidence suggests it

does: organizations lose valuable talent specifically due to HR inflexibility, while competitors who enable arrangements retain that talent.

Conclusion

The evidence is clear and consequential: in professional services contexts requiring customized flexibility arrangements, centralized HR gatekeeping functions as an obstacle to strategic talent management rather than an enabler. When HR positions itself as bureaucratic barrier between operational managers and employees negotiating sustainable work arrangements, organizations experience predictable and damaging consequences: talent attrition, shadow governance systems that undermine equity and compliance, manager frustration, and ultimately HR irrelevance in a domain where it claims expertise.

The Skinner and Ramsay (2025) research on female lawyers in elite international law firms provides rare empirical insight into these dynamics. Their findings document a systematic pattern: successful flexibility arrangements emerge through direct negotiation between employees and operational managers who understand work realities and possess decision authority. HR involvement consistently slows, complicates, or blocks arrangements that managers have validated as operationally feasible. The result is shadow i-deal systems that function despite HR rather than because of it.

This dysfunction reflects a deeper problem: HR has positioned itself as strategic partner through rhetoric while remaining transactional gatekeeper through practice. The Ulrich (1997) vision of strategic HR business partnership requires enabling organizational capability, not controlling individual transactions. In flexibility governance, genuine strategic partnership means building the frameworks, capabilities, transparency, and insights that enable distributed decision-making to function effectively and equitably—not reviewing each request through a centralized approval bureaucracy optimized for risk avoidance rather than talent optimization.

The path forward requires courage and role redefinition. Organizations must shift flexibility decision authority to operational managers, who are best positioned to evaluate feasibility and structure sustainable arrangements. HR's evolved contribution becomes system design rather than transaction control: creating decision frameworks and tools, building manager capability, enabling transparency, monitoring equity patterns, and generating insight from data. This is genuinely strategic work—building organizational capability rather than administering individual cases.

The interventions are evidence-based and mutually reinforcing. Distributed authority addresses HR obstruction directly. Transparency mechanisms counter shadow systems while reducing stigma that Williams et al. (2013) identify as a fundamental barrier. Equity monitoring without centralized approval enables bias detection and correction more effectively than case-by-case gatekeeping. Manager capability building ensures quality decision-making. Cultural change through leadership visibility and schema shift makes arrangements sustainable beyond policy permission.

For professional services firms specifically, the imperative is acute. Talent markets have shifted decisively toward flexibility expectations. Women—who represent substantial recruitment

investments and whose retention correlates with firm performance—increasingly make career decisions based on genuine flexibility access, not merely policy rhetoric. The Skinner and Ramsay (2025) study shows women voting with their feet when HR systems obstruct. Firms where HR enables rather than obstructs will gain competitive advantage in talent markets; those clinging to gatekeeping will face talent arbitrage consequences.

The broader implication reaches beyond professional services. As work becomes increasingly knowledge-based across sectors, as talent scarcity intensifies, and as workforce expectations shift toward customization and autonomy, flexibility governance serves as a microcosm of HR's relevance challenge. HR functions face a choice: evolve toward genuine strategic partnership through capability building and system design, or ossify as bureaucratic obstacles to organizational adaptation.

The question is whether HR leadership will choose evolution. The Skinner and Ramsay evidence suggests many HR functions are failing this test, prioritizing institutional position through transaction control over organizational value through capability enabling. Senior leadership must therefore make explicit that HR value lies in building organizational capability to execute strategy, not in gatekeeping individual transactions. This requires different HR capabilities, different metrics, different cultural assumptions, and different willingness to cede transactional control in favor of strategic impact.

The evidence points clearly: when flexibility matters, HR is often in the way. Whether HR chooses to move aside, redefine its contribution, or remain an obstacle will determine its strategic relevance in the organizations it claims to serve.

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