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Billable Hours and Work Flexibility: Navigating the Paradox in Law Firms

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ABSTRACT

Flexible work promises control over where and when work is performed, yet organisations still need credible performance evidence at a distance. Drawing on 30 interviews with women lawyers in UK-based international firms, we examine how billable hours mediate these demands. Records of billable hours allow fee-earning output to be observed regardless of where the work is performed. This visibility can warrant flexible work, while the continuing availability of the same record preserves review and encourages self-monitoring. We develop datafied trust to describe confidence in remote productivity warranted by recorded output and conditional on its continued measurability. The evidence speaks more strongly to control than to autonomy. Participants describe critical awareness, target pressure, and the possibility that flexibility will be questioned when figures decline. The study specifies how an established professional metric makes autonomy governable. It also shows how selective, self-reported records can support oversight and self-government without invasive automatic monitoring.

1 | Introduction

Flexible work arrangements (FWAs) have expanded alongside organisational efforts to maintain oversight at a distance (Ball 2021; Wieser and Abraham 2024). Greater discretion over when and where work is performed can accompany intensification, constant availability, and constraint (Mazmanian et al. 2013; Putnam et al. 2014). In professional service firms, flexibility may be both an organisational inducement and a contribution that employees repay through responsiveness and performance (Cañibano 2019). These studies reveal the tension but leave open how an established infrastructure makes both autonomy and control operational.

Performance metrics matter especially for remote work because they can detach evaluation from co-presence. Digital records make selected activities observable and comparable, allowing third parties to infer performance from representations of work (Leonardi and Treem 2020). Control at a distance may consequently become

more explicit, impersonal, and dependent on self-monitoring (Hartner-Tiefenthaler et al. 2021). Yet metrics do not represent work neutrally or completely. They privilege activities that fit the chosen scale and distribute visibility unevenly. The same record can consequently provide evidence for autonomy, preserve managerial scrutiny, and leave some contributions outside the terms on which flexibility is evaluated.

International law firms offer a revealing setting for examining this dynamic. Lawyers record fee-earning time for client billing and internal performance purposes (Campbell and Charlesworth 2012; Fortney 2000). This long-established practice produces a standardised account of selected output across locations. We ask: *How does the billable-hour system make flexible work organisationally defensible while keeping it conditional in international law firms?* We address this question through interviews with 30 women lawyers working in international law firms based in the UK. The all-female sample arose from an open recruitment process and is

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analytically relevant because women lawyers encounter persistent tensions around flexibility, commitment, and career progression (Thornton 2016; Walsh 2012).

Our analysis shows that billable records operationalise the autonomy-control paradox through comparability. Recorded output can warrant confidence that work performed away from the office remains productive. We call this conditional, evidence-based confidence datafied trust. Its enabling and constraining effects share the same basis: continued measurability supports flexible work and keeps that work open to review. Paradoxically, participants understand that figures can be checked, that declining output may place an arrangement in question, and that the target can remain cognitively present even when direct supervision is absent. The data, therefore, illuminate autonomy made governable through measurement. They do not establish equal empirical weight on both sides of the paradox, deliberate visibility work by all participants, or routine comparison in every firm.

The paper makes two contributions. First, it specifies metric comparability as a mechanism linking evidence for work elsewhere to the continuing conditionality of that freedom. Second, it shows how a selective, professionalised, and self-reported record can support oversight and self-government without continuous observation or automatic behavioural capture. A bounded implication concerns metric legibility: work outside the billable scale may lack the same evidentiary route to flexibility. Because this implication rests on indirect evidence from lawyers rather than testimony from support workers, we develop it cautiously in the discussion.

2 | Theoretical Framework

2.1 | The Autonomy-Control Paradox in Flexible Work

Technologies that give professionals control over where and when they work can also take that control away. Mazmanian et al. (2013) coined the term autonomy paradox for this pattern among knowledge professionals who used mobile email devices to manage the location and timing of their work. Each professional gained flexibility and a sense of control over when and where to engage with work. Collectively, however, the same use enacted a norm of continual connectivity that intensified expectations of availability, so that working anywhere and at any time became working everywhere and all the time. Professionals adapted to norms their own choices had produced, and the dynamic both reaffirmed and unsettled their sense of themselves as autonomous and responsible professionals. Putnam et al. (2014) identify the same tension as an overarching autonomy-control paradox in workplace flexibility, and we use that broader term for the tension this paper examines.

The autonomy paradox was formulated within a sociomaterial understanding of technology. In Orlikowski (2000) practice lens, what a technology does depends on how people take it up: through their situated use, they enact the structures that then shape further use. Orlikowski (2007) extends this into the claim that the social and the material are constitutively entangled in everyday organising, and Orlikowski and Scott (2008) draw the

consequence that technology, work, and organisation cannot be understood apart from one another. Read this way, the mobile email device did not impose the paradox, and neither did professionals' preferences. A device that can be read and answered anywhere, at any time, enables discretion over when and where communication occurs; because colleagues and clients know this, the same capability makes continual accessibility expected (Mazmanian et al. 2013). Such features are enabling and constraining at once, the duality Orlikowski (1992) captures by treating technology as both an outcome of human action and a force that shapes it. Nor is the constraining side inevitable. In a separate study, Mazmanian (2013) shows that a group whose members shared frames about the technology while sustaining heterogeneous communication practices developed norms that held constant connectivity at bay, whereas a group that assumed uniform availability did not.

Flexibility scholarship generalises the paradox beyond mobile communication. Greater choice in workplace flexibility can accompany intensification, fixed procedures, face-time penalties, and unequal access (Putnam et al. 2014). Professionals experience the same arrangement as an inducement and a contribution: flexibility grants discretion while creating expectations of availability and reciprocal effort (Cañibano 2019). Sewell and Taskin (2015) find that teleworkers gain a sense of autonomy at the same time as new expectations attach to how they conduct themselves in spaces that management previously could not reach. More generally, de Vaujany et al. (2021) argue that contemporary autonomy and surveillance cultivate one another. Autonomy and control are therefore constitutive features of flexible work rather than separate outcomes that appear at different times.

These insights establish the paradox without identifying a single mechanism that must operate across settings. Cavazotte et al. (2014), for example, studied professionals in a Brazilian law firm after it issued them with smartphones. The devices brought a sense of autonomy and flexibility, yet they also carried the firm's demands into evenings and private life, and many of the professionals nevertheless asked for more connectivity. Our focus is on an older technology in the same professional setting. The billable-hour record is the metric infrastructure through which professional work is represented, and its features are enabling and constraining in the same double sense. The entries that make fee-earning output comparable across locations, and therefore make work elsewhere defensible, remain available for review after the work is done. The theoretical question is therefore how metric comparability participates in both sides of flexible work.

2.2 | Metric Visibility and Self-Government at a Distance

Surveillance in professional and distributed work exceeds the image of a central observer watching compliant subjects. Brivot and Gendron's (2011) study of a knowledge-management system in a Parisian tax and law practice shows that digital systems can give rise to lateral scrutiny among peers alongside hierarchical oversight, although the direction and intensity of scrutiny in any given setting remain empirical questions. Hafermalz

(2021) identifies a different problem in distributed organisations: workers outside the organisational centre may seek visibility to avoid being overlooked. Together, these accounts show that visibility can be imposed, sought, unevenly available, or strategically managed.

Leonardi and Treem (2020) define behavioural visibility as sociomaterial performances that third parties can observe and use to make inferences about actors or collectives. A metric record is selective: it makes categorised activities legible while leaving other contributions less visible. It can support aggregate comparison without proving that managers compare every individual routinely or that workers deliberately perform for the record.

Remote work increases the organisational value of such representations. Hartner-Tiefenthaler et al. (2021) show that it can shift control towards explicit, impersonal accountability and self-monitoring. Taskin and Edwards (2007) describe telework as a reorganisation of established coordination and control, while Ajzen and Taskin (2021) examine re-regulation as an enacted collective process. Our interviews capture individual experiences of governance rather than that collective process. Re-regulation therefore serves here only to frame the control problem created when presence loses regulatory force.

Governmentality helps explain why metric accountability can operate through freedom. Organisational control need not cancel agency to shape conduct. It can structure the field within which professionals choose, evaluate themselves, and act as responsible subjects (Raffnsøe et al. 2019). Self-recording is especially relevant because the professional participates in producing the representation against which work can be judged. This does not make compliance automatic or erase criticism. It directs attention to how professionals who are critical of the metric may nevertheless govern themselves through it as normal practice.

2.3 | An Integrated Framework: Billable Hours and Conditional Autonomy

The context of this study is the international law firm, where FWAs coexist with an established system for recording fee-earning time (Campbell and Charlesworth 2012; Fortney 2000). The object is the billable-hour system and its role in governing flexible work. We analyse it through the autonomy-control paradox (Putnam et al. 2014), understood through the recursive dynamic that Mazmanian et al. (2013) identify. We combine three perspectives because each answers a question the previous one leaves open. We take from paradox research the premise that autonomy and control are co-produced in flexible work (Cañibano 2019; Putnam et al. 2014), which leaves the mechanism to be specified in each setting. Research on behavioural visibility provides the vocabulary for that specification in metric-governed work, because it explains how a record makes selected activity observable and comparable at a distance (Leonardi and Treem 2020). Governmentality then explains how the evaluative capacity of such a record can operate through professionals' own conduct instead of direct supervision (Raffnsøe et al. 2019). Surveillance and governmentality,

therefore, serve as interpretive resources within the paradox framework: they explain how metric comparability preserves oversight and enters professional self-management.

Billable records can connect flexibility and control through three analytically linked relations. First, self-reported time entries translate selected legal activities into a common scale, creating comparability across locations and periods. This is a selective legibility: digital representations make some activities visible and leave others less so (Leonardi and Treem 2020). Second, recorded output can warrant confidence that work performed elsewhere remains productive. It supplies the explicit and impersonal accountability towards which remote work tends to shift control (Hartner-Tiefenthaler et al. 2021) once presence has lost its regulatory force (Taskin and Edwards 2007). Third, the continuing availability of the record keeps flexible work conditional. Output can be reviewed from more than one direction (Brivot and Gendron 2011), and professionals can orient themselves to the possibility of review, which is the self-government that governmentality describes (Raffnsøe et al. 2019). A boundary condition concerns the scope of the metric. Contributions outside the billable scale do not receive the same form of comparability (Campbell and Charlesworth 2012; Fortney 2000) and may lack an equivalent route to recognition (Hafermalz 2021).

We use datafied trust to name the second and third relations together: confidence in remote productivity that is warranted by recorded output and remains conditional on its continued measurability. The concept does not presume interpersonal trust, automatic data capture, the deliberate visibility work that Hafermalz (2021) theorises, or actual withdrawal in every case. It identifies a governance relation in which evidence can support discretion while retaining evaluative capacity.

Two scope conditions guide the analysis. The evidence speaks more extensively to control, critical compliance, and conditionality than to experiences of autonomy. The enabling side is visible in participants' accounts of why recorded productivity can support FWAs, but it receives less direct elaboration. In addition, the relations form an analytical sequence, and we do not claim that every participant or firm moves through them as a fixed temporal process. Mazmanian (2013) shows that groups using the same technology can follow different trajectories. Figure 1 summarises the framework and provides the structure for the findings.

3 | Research Method

3.1 | Research Context: Law Firms and the Billable-Hour System

International law firms bring this paradox into sharp relief. Professional service firms are shaped by definitions of legitimate value and exclusion (Ashley and Empson 2017), normalised long hours (Thornton 2016), and work-life conflict (Walsh 2012). Law firms are distinctive because billable-hour infrastructure links lawyers, firms, clients, and the governance of flexible work.

The billable-hour system requires lawyers to record time spent on client matters for client billing and internal evaluation (Campbell and Charlesworth 2012; Fortney 2000). Participants

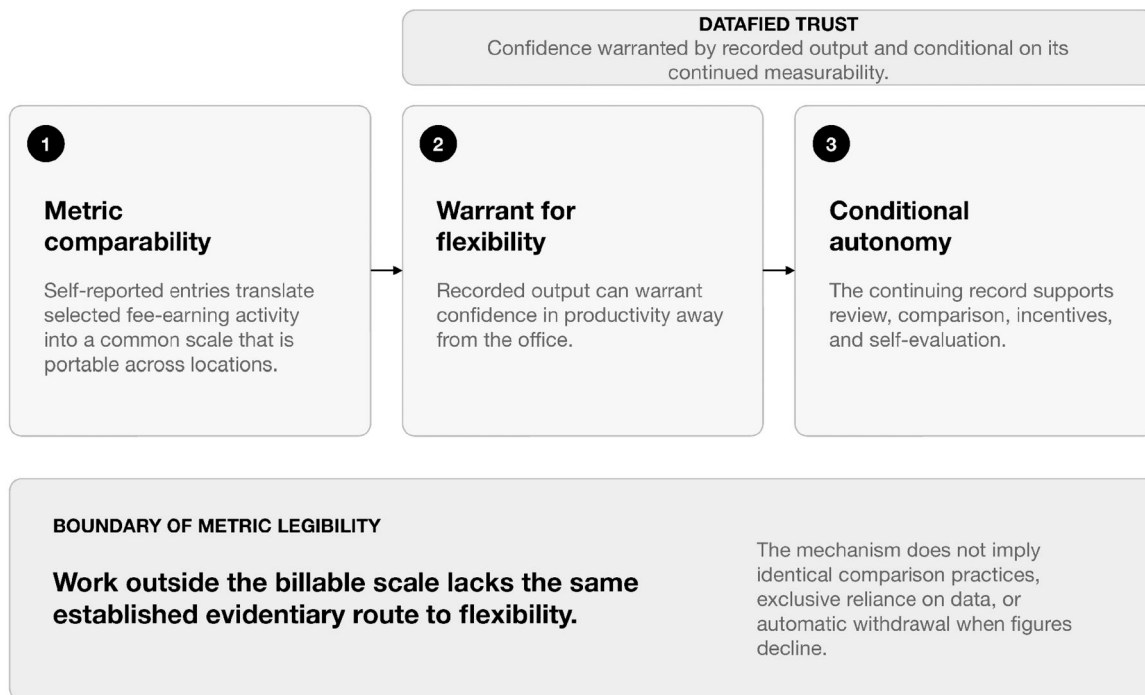


FIGURE 1 | How billable hours make flexible work defensible and conditional. The figure presents three analytically linked relations rather than a fixed temporal process. Self-reported billable entries translate selected fee-earning activity into a common scale that is comparable across locations; recorded output can provide an organisational warrant for confidence in productivity away from the office; and the continuing record keeps autonomy conditional. Datafied trust covers the second and third relations together. Work outside the billable scale lacks the same established evidentiary route to flexibility and marks a boundary to the mechanism.

described recording this activity in 6-min units. Time records can inform performance evaluation, bonuses, and promotion (Fortney 2000). They remain selective representations of professional work because mentoring, training, administration, and business development may not enter the billable total (Campbell and Charlesworth 2012; Fortney 2000). This selectivity matters for our analysis: firms can use a standardised record of fee-earning output to evaluate work performed away from the office, even though the record does not capture the whole of professional contribution.

Digital time records allow authorised organisational actors to inspect recent output and, where records are retained, compare it across periods. The records therefore datafy selected legal activities and make them available for inference and evaluation by third parties (Leonardi and Treem 2020). Our analysis examines how this established billing practice acquires a monitoring function when physical presence is no longer the principal sign that work is being done.

3.2 | Research Design

We employed a qualitative approach, conducting semi-structured in-depth interviews and applying thematic analysis (Braun and Clarke 2006). The study is situated within a critical interpretivist epistemology committed to centring the lived experiences of women lawyers working at the intersection of flexibility, surveillance, and professional identity. This epistemological position aligns with our theoretical framework:

understanding the autonomy-control paradox requires attending to how subjects experience, interpret, and act within contradictory pressures, a task for which rich, contextualised qualitative data are essential.

3.3 | Sample and Data Collection

Data were collected through 30 semi-structured in-depth interviews with qualified and practising women lawyers employed in UK-based international law firms. Twenty interviews were conducted between March and June 2020. An additional 10 interviews were conducted between January and February 2025 to extend and update the dataset.

The sample was recruited through a call for participation published in the diversity newsletter of the Law Society of England and Wales in December 2019, followed by reminders in Dupuis, 2020. In January 2025, a further call for participation was published in the same newsletter. The invitation was open to all lawyers qualified in England and Wales. All of the lawyers who took part were women. This pattern defines the study's scope but does not establish that flexibility is uniquely a woman's concern. The accounts illuminate documented tensions around flexible work, commitment, and progression among women lawyers (Thornton and Bagust 2007; Walsh 2012), but do not estimate their prevalence.

Volunteers received study information and a consent form before interviews were scheduled. Ethical approval was granted

through the relevant university's institutional self-assessment process. Participant pseudonyms are used throughout, and firms are not identified.

Table 1 sets out the personal and professional characteristics of the interviewees. Most are aged 35 or over, have more than 9 years' post-qualification experience, and hold senior associate or partner positions. Their accounts therefore reflect extensive experience of billable work and, in many cases, considerable seniority within their firms.

The first five interviews, in early 2020, were conducted face to face; all later interviews were conducted remotely by telephone, Teams, Skype, or Zoom, initially because of the March 2020 COVID-19 lockdown. Interviews lasted between 60 and 90 min. Participants were asked about their professional biographies, daily work practices, experiences with the billable-hour system, flexibility they had negotiated or observed, and their perceptions of surveillance and monitoring within their firms. Partners were additionally questioned about their roles in managing

teams, evaluating performance, and granting or denying flexibility requests. Data collection in each period continued until the research team judged that further interviews were no longer adding substantively different patterns relevant to the study's focus.

The two periods involved different participants (Table 1), so we treat them as repeated cross-sectional evidence. Claims about persistence or change would require period-coded comparison, which we do not attempt here.

3.4 | Data Analysis

The interviews were recorded, transcribed verbatim, and analysed using thematic analysis (Braun and Clarke 2006). Data from associate and partner perspectives were analysed in parallel, allowing for comparison of how the autonomy-control paradox is experienced from different positions within the firm hierarchy.

TABLE 1 | Participant demographics.

No.	Name	Age	Position	Post-qualification experience
1	Amy	35–44	Junior Associate	More than 9 years
2	Barbara	35–44	Senior Associate	More than 9 years
3	Christina	55–64	Senior Associate	More than 9 years
4	Claire	35–44	Junior Associate	1–3 years
5	Denise	45–54	Partner	More than 9 years
6	Doreen	35–44	Partner	More than 9 years
7	Hannah	35–44	Partner	More than 9 years
8	Helen	45–54	Senior Associate	More than 9 years
9	Henrietta	55–64	Senior Associate	More than 9 years
10	Imani	35–44	Partner	More than 9 years
11	Jill	35–44	Senior Associate	More than 9 years
12	Karen	35–44	Associate	More than 9 years
13	Kate	25–34	Senior Associate	7–9 years
14	Kelly	25–34	Associate	4–6 years
15	Linda	35–44	Senior Associate	7–9 years
16	Lola	45–54	Partner	More than 9 years
17	Mandy	35–44	Senior Associate	4–6 years
18	Michaela	35–44	Associate	7–9 years
19	Nia	35–44	Partner	More than 9 years
20	Rebekkah	35–44	Partner	More than 9 years
21	Sabrina	35–44	Partner	More than 9 years
22	Sarah	35–44	Partner	More than 9 years
23	Suzie	35–44	Senior Associate	More than 9 years
24	Suri	45–54	Partner	More than 9 years
25	Miley	35–44	Senior Associate	4–6 years
26	Gwen	35–44	Senior Associate	4–6 years
27	Justina	55–64	Partner	More than 9 years
28	Evelyn	55–64	Partner	More than 9 years
29	Dana	55–64	Partner	More than 9 years
30	Sienna	35–44	Senior Associate	4–6 years

TABLE 2 | Coding structure.

First-order evidence and codes	Second-order theme	Aggregate mechanism
6-min units; common chargeable target; money brought in; all time accounted for	Standardisation and selective representation of fee-earning work	Metric comparability
'They can see that I'm as productive at home as I am in the office.' Time records make flexibility feasible; senior people are seen as a 'known quantity'	Recorded output as an organisational warrant; seniority as a contextual condition	Warrant for flexibility (the enabling side of datafied trust)
'Always in the back of your mind'; target pressure; recording as discipline	Internal orientation to the billable target	Conditional autonomy: self-government through the metric
Historical checking is possible; 80% hypothetical; bonuses and responsibility; departmental and individual comparisons	Continued evaluative capacity and conditional review	Conditional autonomy: continued evaluative capacity
'We do not know how [to] record what they're doing'; absence of a comparable billable record	Unequal access to an established evidentiary scale	Boundary of metric legibility

The analytical process moved through three stages. In the first stage, we conducted open coding, establishing first-order codes grounded in participants' own language (Charmaz 2014) to preserve the meanings of their views and actions. In the second stage, we generated second-order themes by grouping and comparing codes across interviews, identifying patterns and tensions in how lawyers experienced the relationship between billable hours, surveillance, and flexibility. In the third stage, we developed aggregate mechanisms that connected the empirical themes to our theoretical framework. Table 2 displays the progression from first-order codes through second-order themes to aggregate mechanisms.

Data analysis was supported by NVivo 12. To enhance the credibility of the study, we employed an insider-outsider approach (Smets et al. 2015). One researcher brought 5 years of experience working in the UK legal sector, while the remaining researchers served as outsiders who critically examined codes and interpretations on multiple occasions.

4 | Findings

The findings explain how billable records connect flexible work to continuing organisational control. We organise the analysis around three linked relations: the creation of comparability, the use of recorded output as an organisational warrant for flexibility, and the conditionality and self-government that accompany continued measurability. Work outside the billable scale marks a boundary to the mechanism. This sequence is analytical. Participants did not necessarily experience the relations in a fixed order, and their accounts speak more extensively to control than to autonomy.

4.1 | A Metric That Makes Professional Work Comparable

Participants described the billable hour as a central standard through which fee-earning activity became organisationally legible. The granularity of the record begins with the time unit itself. Barbara, a senior associate, recalled how the unit had become more precise during her career:

When I started 20 years ago, it was 10-min units for non-litigators. And the courts insisted that it was changed to 6-min units because... billing 10 min is quite a lot.

(Barbara)

In Mandy's firm, the target applied across formal levels of seniority:

We have a standard chargeable target for solicitors, no matter what level you are... You all have to meet the target.

(Mandy)

These accounts identify two features of the metric. It translates fee-earning activity into a common unit, and it sets a target against which lawyers in different positions can orient themselves. The resulting comparability is selective. Participants stressed that the figure gives financial output priority over the time and effort required to produce it:

How much money do you bring in. That's what matters. But they don't really care how much time you need to get money in.

(Michaela)

What I believe is involved in becoming a partner is billing all the hours that God gives, because that's how the firm makes money, which in itself is a damaged model.

(Kate)

It is quite draconian, isn't it, in terms of like every 6 min of your time you have to account for. It is ridiculous.

(Jill)

The criticism in these accounts matters because compliance did not depend on participants believing that the metric represented professional value well. They could regard the model as damaged, reductive, or draconian and still understand it as an

unavoidable basis of evaluation. The first relation in the paradox is therefore the creation of a shared, contestable standard. The record is portable because it represents selected fee-earning activity without requiring the lawyer to be visible in the office. The next accounts show how participants connected that portability to flexible work.

4.2 | Recorded Productivity as an Organisational Warrant for Flexible Work

Participants connected the availability of the record directly to the organisational feasibility of working elsewhere. Lola, a partner, rejected the idea that physical absence prevented oversight:

We work in probably one of the most easily monitored industries in the world. Everything we do is time-recorded. You can see instantly what someone has done in the last three or 4 h. So I personally don't think that's a reason not to allow it [flexibility].

(Lola)

Lola's account presents measurability as a reason that flexibility can be permitted. The billable record does not recreate physical presence. It offers an alternative basis for assessing recent fee-earning activity. Kelly described the same relation from the position of an associate whose arrangement she understood to depend on continuing performance:

The key thing is that they... because they have our figures anyway, they can see that I'm as productive at home as I am in the office. But I also think if they felt that I was, you know, pissing about for a more technical term, then they wouldn't let me do it [work flexibly].

(Kelly)

Kelly understands her figures as evidence that home working has not reduced her productivity and expects the arrangement to be reconsidered if the figures tell a different story. The quote does not establish deliberate visibility work. It shows that she knows the terms on which her flexibility is intelligible to the firm.

Seniority influenced the availability of this evidentiary warrant. Helen observed:

I think senior people probably get a lot more informal flexibility because they're a known quantity; they bring the work in, they have good relationships.

(Helen)

Being a 'known quantity' may reflect accumulated interpersonal familiarity, performance history, or both; Helen does not identify billable records as the sole basis of being known. We therefore treat seniority as a contextual condition rather than as direct evidence of metric-warranted confidence. Lola and Kelly more directly connect recorded output to the

organisational case for work away from the office. We call this datafied trust: confidence in remote productivity warranted by billable evidence. The term describes an enabling relation whose constraining condition is already visible in Kelly's account: such confidence can remain conditional on recorded output continuing to appear acceptable.

4.3 | The Continuing Record and Conditional Autonomy

The availability of billable evidence outlasted any single decision to grant flexibility. Participants described targets that remained cognitively present, records that could be revisited, and consequences they expected if output fell. Jill distinguished her firm from more target-driven competitors and then described the persistence of billing pressure:

'We're not one of the magic circle firms that is just really driven by a lot of pressure on billable hours and targets. There isn't all that kind of pressure in that sense. But I mean, it's still always in the back of your mind.' (Jill)

Amy linked the target directly to the pressure she experienced:

I enjoy my work, but there is pressure. A lot of it. If I didn't have billing targets... I'd be alright.

(Amy)

These accounts support a bounded claim about internalisation. The target shapes how participants evaluate their own time and performance, even when they do not describe an immediate managerial intervention. Rebekkah's account shows how self-recording can also be experienced as a useful professional discipline:

I record all my time... It's a discipline... helps me to see where my time is being spent.

(Rebekkah)

Critical pressure and professional usefulness coexist in these descriptions. The record can be experienced as an organisational demand, a device for self-knowledge, or both. This ambivalence helps explain how control through a normalised professional practice can persist without being invisible or uncontested.

The accumulated record also creates a capacity for retrospective review. Imani, a partner, was careful to frame comparison as something a manager could do:

'Obviously, lawyers having to bill and record time, it's easy to see over the past week or whatever, what people's hours are like, compared to what they were 6 months ago, or last month. So, with lawyers, it's relatively easy if you want to check in and see what their hours are like.'

(Imani)

Imani does not say that such checks occur automatically or routinely. She identifies an available capacity. Participants can orient themselves to that capacity even when they have not witnessed it being exercised. Barbara similarly described the consequence of declining output as a hypothetical expectation:

If you were only getting 80% of your target every week, they'd say: "Hang on a minute. On what day are you not getting 100%?"

(Barbara)

Her wording does not document an actual withdrawal decision. It articulates the conditional logic participants expect to govern FWAs: a decline in billable output can make a location relevant again. Flexible work is consequently understood as an arrangement that may need to be re-evaluated.

Financial incentives reinforce attention to the target. Amy described a reward for billing above it, while Mandy placed responsibility for a shortfall on the individual:

If you meet over your target you get 10% of whatever you get over.

(Amy)

If you can bill more, great. If you can't, then that's fine. If you can't hit your targets, then you're responsible.

(Mandy)

Collective disclosures also established a comparative environment. Helen described quarterly presentations of departmental billing, and Jill recalled celebrations that singled out high-performing departments:

Every quarter, the senior partner gets us all together in the boardroom... what billing has been like for all departments.

(Helen)

Once we finish all the bills, the whole firm will have a get-together and drinks... they single out all these departments who are particularly doing well.

(Jill)

These accounts establish comparison most clearly at the departmental level. Christina offered more direct evidence that individual records could also be compared in at least one setting:

You can make comparisons. In my last post, I looked at averages. And for the junior staff, they have these print-outs of their time and look at what they have done. And they would follow that by saying: "Well, it took you 4 h to do this and took this staff [member] 2 h, so can we have a chat about that?"

(Christina)

The evidence supports variation rather than a universal peer-surveillance regime: some participants described collective comparison, one described individual comparison, and others only the possibility of review. Across these forms, the record supplies a reference point for self-evaluation and organisational review, linking work elsewhere to the metric through which productivity is judged.

4.4 | The Boundary of Metric Legibility

The same arrangement appeared to operate differently for work that was not represented by billable time. Hannah, a partner with management responsibilities, described an attempt to extend flexible work to secretarial staff:

I was trying to roll out more flexible working for secretaries too, and I was getting a lot of pushback from partners saying: "We do not know how [to] record what they're doing if they're secretaries."

(Hannah)

Hannah's account identifies a boundary in the governance logic. The partners she describes did not regard physical presence as equally dispensable when they lacked a familiar output record. This does not mean that secretarial or administrative work is intrinsically unmeasurable, or that all support workers are denied FWAs. It shows that the billable-hour scale offered lawyers an established evidentiary route that these partners did not see for secretarial work.

Our interviews did not include support workers, so this account cannot establish how they experience flexibility or how access is distributed across occupations. The discussion considers its possible occupational and gender implications as questions arising from the boundary, not as direct findings about support workers.

4.5 | Summary: How Billable Hours Operationalise the Paradox

Figure 1 summarises the analytical sequence. Billable recording creates comparability across locations. Comparability can provide an organisational warrant for confidence in remote productivity. The continuing record makes that confidence conditional and enters participants' self-evaluation. Metric legibility marks a boundary to the mechanism rather than a fourth sequential stage. Table 3 maps the evidence supporting each relation and the limits on the claims that can be drawn from it.

5 | Discussion

5.1 | Metricised Conditional Autonomy

The study explains how a familiar professional metric connects the autonomy and control of flexible work. Billable records create a portable representation of fee-earning output. The record can reassure managers that work performed elsewhere remains productive, while its continuing availability preserves evaluation after flexibility has been granted. The empirical contribution lies in showing a functional extension of an incumbent infrastructure. A

TABLE 3 | Evidence, mechanism and claim boundaries in the billable-hour mechanism.

Relation or boundary	Principal evidence	Mechanism	Claim boundary
Metric comparability	Barbara, Mandy, Michaela, Kate, Jill	Billable entries translate selected fee-earning activity into a common scale	The record is selective and does not represent all professional contributions
Warrant for flexibility	Lola and Kelly; Helen on seniority	Recorded output can support confidence in productivity away from the office	Evidence does not establish deliberate visibility work or interpersonal trust; Helen does not identify billable records as the sole basis of being “known”
Conditional autonomy	Jill, Amy, Rebekkah, Imani, Barbara, Mandy, Helen, Christina	The continuing record supports review, comparison, incentives, and self-evaluation	Comparison varies across firms; some accounts describe capacity or hypothetical consequences
Boundary of metric legibility	Hannah	Work outside the billable scale lacks the same established evidentiary route	One indirect account cannot establish support workers’ experiences or a population-level gender effect

record established for billing and performance evaluation becomes an organisational warrant for remote-work discretion and a continuing basis for its review. The record that supports discretion also defines the terms on which that discretion remains credible.

Putnam et al. (2014) identify autonomy-control as an overarching tension in workplace flexibility, and Cañibano (2019) shows how professionals experience flexibility as both inducement and contribution. Our analysis specifies metric comparability as one mechanism binding these experiences together. Representing output across locations reduces the evaluative importance of presence while keeping that output open to scrutiny. The same informational capacity makes autonomy organisationally acceptable and conditional.

Datafied trust specifies this relation more precisely. We define it as metric-warranted confidence in remote productivity that can remain conditional on the continued availability and acceptability of recorded output. Lola presents time recording as a reason that physical absence should not bar flexibility, while Kelly understands that her arrangement rests on figures demonstrating comparable productivity. Helen’s “known quantity” points more broadly to accumulated organisational familiarity and is not treated as proof that billable records alone create confidence. Neither account documents a withdrawal. Datafied trust, therefore, describes a conditional governance relation, not a claim that managers trust only data or that every arrangement is revoked when figures decline.

The mechanism also clarifies the asymmetry in our evidence. Participants describe measurement, pressure, review, and self-management more fully than autonomy itself. The enabling side appears principally in explanations of why recorded productivity supports work away from the office. This imbalance shows how quickly the organisational case for autonomy is articulated through control. It also limits our conclusions about the freedoms lawyers experience through FWAs.

Mazmanian et al. (2013) show how individual practices adopted for autonomy can aggregate into constraining collective norms. Our evidence identifies elements compatible with that recursive dynamic. The enabling and constraining features they trace to a

communication device belong, in our setting, to a record. Firms reward above-target billing and assign responsibility for shortfalls; departmental performance is publicly discussed and celebrated; and participants orient themselves to a target that can remain “in the back of your mind”. These practices can reinforce expectations of high output. We do not infer from them a uniform cycle of continuous availability. The contribution is narrower and more concrete than that: a shared metric links personal self-evaluation to organisational standards in ways that can reproduce pressure without requiring constant direct intervention.

5.2 | Control Through Professionalised Self-Reporting

The study also extends work that moves beyond panoptic images of surveillance. Billable-hour control is neither a continuous managerial gaze nor a fully automated system. Lawyers enter selected activities into a professional record, firms retain evaluative access to that record, and the possibility of review can shape conduct. The mechanism, therefore, combines participation, criticism, and compliance. Kate and Jill question the model; Rebekkah describes recording as a useful discipline; Imani knows that historical comparison is available. Control operates through a practice that participants may regard as burdensome, normal, useful, or several of these at once.

Brivot and Gendron (2011) show how a knowledge-management system in a professional practice gave rise to lateral networks of surveillance alongside hierarchical oversight. Our evidence adds a differentiated account of the directions review can take. Managerial access supplies a vertical capacity; departmental disclosures create collective comparison; individual comparison appears in Christina’s account of one setting; and internal orientation to the target appears in the accounts of Jill, Amy, and Rebekkah. Not every firm uses every form, and the importance of the pattern lies in showing that a common record can connect organisational review, collective standards, and self-government.

Hafermalz (2021) highlights the active visibility work through which distributed workers seek recognition at the organisational

centre. The billable record offers lawyers a potential resource for such visibility, but our participants do not consistently describe deliberate self-presentation. Kelly leaves open whether her figures are actively performed for the firm or generated as a consequence of ordinary work. Our findings, therefore, qualify this account: an established metric may provide visibility without requiring workers to undertake a separate visibility practice, although purposeful use of the metric remains an important question for future research.

This professionalised monitoring differs from algorithmic management (Dupuis 2025; Zhang et al. 2025). Billable recording is a long-established, self-reported metric rather than a system that captures or directs behaviour automatically. Its significance lies in converting selected work into a standardised record from which organisational actors draw inferences. Datafied control can therefore develop through an incumbent professional practice as well as a newly introduced monitoring technology.

Wieser and Abraham (2024) show that the form and framing of monitoring shape employee acceptance when working from home. Our interviews suggest why billable records may occupy an unusual position. Participants criticise billing pressure but also treat time recording as part of legal practice, and some use it for self-management. We cannot infer that lawyers accept the system as surveillance, because we did not ask all participants to classify it in those terms. We can show that normalisation allows a record with monitoring effects to persist without being experienced only as an external monitoring device.

5.3 | Metric Legibility and Occupational Inequality

Hannah's account marks an important boundary to the mechanism. The partners she describes saw billable records as an established way to evaluate lawyers away from the office and did not see an equivalent record for secretarial work. The implication concerns metric legibility, not the inherent measurability or value of support work. A role represented on the organisation's dominant scale may have an evidentiary advantage when flexibility is negotiated.

This boundary may reinforce occupational inequality. Ashley and Empson (2017) show how exclusion in elite professional service firms is sustained through field-level definitions of legitimate professional value. Metric infrastructures can participate in that process by privileging contributions that fit their categories. Leonardi and Treem (2020) likewise direct attention to differences in actors' resources and opportunities to manage visibility and to the consequences of what data are selected for collection. In our setting, the billable scale represents fee-earning legal activity while leaving many relational, administrative, and developmental contributions outside its terms.

The gender implication requires particular care. Secretarial and administrative roles in law firms have historically been feminised, but our sample contains lawyers rather than support workers, and Hannah provides the only direct account of this boundary. The evidence supports a question about how gendered occupational structures intersect with metric legibility. It

does not establish support workers' experiences or the prevalence of unequal FWA access. Direct research with support staff is needed to evaluate whether, when, and how metric infrastructures reproduce gendered differences in flexibility.

5.4 | Governance Implications

The analysis directs attention to the evidence through which access to and evaluation of flexible work are governed. When one metric supports client billing, performance assessment, career progression, and confidence in remote work, its omissions become consequential. Supplementary criteria could make mentoring, knowledge sharing, business development, client relationships, team support, and pro bono contributions more visible than the billable scale permits.

A further governance question is whether accountability must entail continuous contingency. Barbara expected a shortfall against the target to prompt questions about which days she was underperforming, and Christina described junior staff being shown printouts of their recorded time. Clear review periods, transparent criteria, and safeguards against automatically attributing any decline to work location could reduce the uncertainty that such practices create about when flexible arrangements may be questioned. Transparency about whether historical comparison is routine, selective, or triggered by a specific concern would also make the terms of review more contestable.

For professional bodies, the analysis suggests that flexible-work guidance should extend beyond the formal availability of policies to the metrics through which flexibility is granted and reviewed. The relevant questions concern the treatment of non-billable contributions, the evidentiary position of occupational groups governed through different performance systems, and the duration of workers' responsibility for demonstrating that flexibility has not reduced performance.

6 | Limitations and Future Research

The study focuses on women lawyers in UK-based international firms. It cannot establish how men, lawyers in smaller firms, or professionals in other jurisdictions experience the mechanism. Recruitment through a diversity newsletter may have attracted participants already attentive to equality and inclusion, and the findings should not be read as estimates of prevalence across the legal profession.

The evidence is also asymmetric. Participants describe control, target pressure, and the possibility of review more extensively than they describe autonomy. Datafied trust is supported by accounts of how recorded output can warrant flexibility, but the study does not observe managerial decisions as they unfold or document the withdrawal of an arrangement. Research combining lawyer and manager interviews with records of FWA requests and reviews could test the mechanism more directly.

The boundary of metric legibility rests primarily on one partner's account concerning secretarial work. Because support

workers were not interviewed, the study cannot describe their experiences or establish an occupational or gender effect. Future research should compare fee earners and support staff and examine how race, class, disability, caregiving, and occupational status intersect with the metrics used to govern flexibility.

The interviews were conducted in two periods with different participants, so the material constitutes repeated cross-sectional rather than longitudinal evidence. Claims about change, persistence, or intensification across periods would require systematic period-coded analysis. Such a comparison could illuminate how the mechanism operates as hybrid work becomes institutionalised; a panel design could show how individual arrangements develop over time.

Finally, billable hours are distinctive to professional settings that sell time, but the mechanism may travel. Comparative research could examine whether output dashboards, sales metrics, caseload measures, and other performance records similarly make remote work credible while keeping autonomy conditional. Such work should attend to the activities each metric omits as closely as to those it captures.

7 | Conclusion

Billable hours make flexible legal work governable. They provide a portable record of fee-earning output that can support confidence in work performed away from the office. Because the same record remains available for evaluation, the autonomy it supports stays conditional.

This mechanism gives the autonomy-control paradox a concrete institutional form. Metric comparability supports discretion across locations and preserves scrutiny of the work performed there. Datafied trust captures the hinge: confidence is warranted through evidence and remains tied to continued measurability. Professional self-reporting can consequently support oversight and self-government without invasive automatic monitoring.

The broader implication concerns the governance of flexibility through selective records. Metrics do more than evaluate performance after flexible work has been granted. They shape which work is readily legible as credible at a distance, what counts as evidence of that credibility, and which contributions remain outside those terms. Organisations seeking equitable and sustainable FWAs must therefore examine the infrastructures that make autonomy measurable and the conditions those infrastructures attach to freedom.

Conflicts of Interest

The authors declare no conflicts of interest.

Data Availability Statement

The qualitative interview data are not publicly available because they contain potentially identifiable professional narratives and were collected under commitments of confidentiality. Further information about the analytical materials may be available from the corresponding author, subject to ethical and consent constraints.

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